

Minnesota
Department of
Employee
Relations

State of Minnesota: Employer of Choice

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May 26, 2000

Mr. Earl Wilson, Commissioner
Department of Economic Security
390 North Robert St.
St. Paul, MN 55101

Dear Mr. Earl Wilson:

Congratulations! Our office is pleased to notify you that we have approved your agency's 2000 – 2002 affirmative action plan. Your agency has a good plan that should advance affirmative action efforts in state service during the next two years. We look forward to working with you on the implementation of your plan.

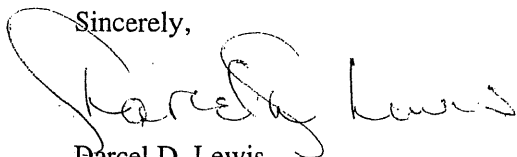
Upon receipt of this letter, please forward a clean copy of the plan to our office and six (6) additional copies to the Legislative Reference Library at:

State Office Building, Sixth Floor
100 Constitution Avenue
St. Paul, MN 55115

Your next affirmative action plan is scheduled for submission January 31, 2002. If you require additional assistance, please do not hesitate to contact our office.

Thank you for your continued cooperation in this matter.

Sincerely,



Darcel D. Lewis
Director, Office of Diversity and Equal Opportunity
(651) 296-8272/V or (651) 297-2003/TTY

cc: Michael Hyatt, Equal Opportunity Officer, Department of Economic Security

Enclosure

aapltrs/approval

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I. TRANSMITTAL SHEETS

**AFFIRMATIVE ACTION PLAN
FISCAL YEAR 2000-2002
MINNESOTA DEPARTMENT OF ECONOMIC SECURITY**

Metro Area

1. This annual review revealed underutilization of the following protect group(s) in the following goals units: (Check each unit appropriately)

GOAL UNITS	PROTECTED GROUPS		
	Women	Minorities	Disability
AFSCME 203 (Service)			
AFSCME 206 (Clerical)			x
AFSCME 207 (Technical)			x
MAPE 214 (Professional)			x
MMA 216 (Supervisory)	x	x	x
Commissioner's Plan			x
Managers	x	x	x

2. This annual plan is and will be posted at the following central locations so that every employee is aware of the department's commitments in affirmative action for the year.

To be posted on the Department of Economic Security Intranet and the MDES ODEO

3. This annual plan contains an internal procedure for processing complaints of alleged discrimination from employees, and each employee has been appraised of this procedure as well as our department's affirmative action goals for this fiscal year.

Mickal Wyatt
Equal Opportunity Officer

2-7-00
Date

4. This annual plan contains clear designations of those persons and groups responsible for implementing the attached affirmative action plan as well as my personal statement of commitment to achieving the goals and timetables described herein.

ER Wilson
Commissioner

2/2/2000
Date

5. This annual plan meets the rules governing affirmative action, MCAR Chapter 3905.0600, statutory authority 43A.04, and contains the goals and timetables as well as methods for achieving them which are reasonable and sufficiently aggressive to deal with the identified disparities.

Darcel Whewers
Director, Office of Diversity and Equal Opportunity

6/1/2000
Date

**AFFIRMATIVE ACTION PLAN
FISCAL YEAR 2000-2002
MINNESOTA DEPARTMENT OF ECONOMIC SECURITY**

Greater Minnesota

1. This annual review revealed underutilization of the following protect group(s) in the following goals units: (Check each unit appropriately)

GOAL UNITS	PROTECTED GROUPS		
	Women	Minorities	Disability
MAPE 214 (Professional)	x		
AFSCME 206 (Clerical)			x
MMA 216 (Supervisor)	x	x	
Commissioner's Plan		x	x

2. This annual plan is and will be posted at the following central locations so that every employee is aware of the department's commitments in affirmative action for the year.

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3. This annual plan contains an internal procedure for processing complaints of alleged discrimination from employees, and each employee has been appraised of this procedure as well as our department's affirmative action goals for this fiscal year.

Michael R. Smith
Equal Opportunity Officer

2-2-00
Date

4. This annual plan contains clear designations of those persons and groups responsible for implementing the attached affirmative action plan as well as my personal statement of commitment to achieving the goals and timetables described herein.

E. R. Williams
Commissioner

2/2/2000
Date

5. This annual plan meets the rules governing affirmative action, MCAR Chapter 3905.0600, statutory authority 43A.04, and contains the goals and timetables as well as methods for achieving them which are reasonable and sufficiently aggressive to deal with the identified disparities.

James D. Lewis
Director, Office of Diversity and Equal Opportunity

6/1/00
Date

II. COMMISSIONER'S STATEMENT OF COMMITMENT

THE COMMISSIONER'S STATEMENT OF COMMITMENT TO EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION


The Minnesota Department of Economic Security, as an employer and a provider of public services is strongly committed to the equitable application of the principles of Affirmative Action, Diversity and Equal Opportunity. I am committed to the Department's policy of Equal Opportunity and support our Affirmative Action Plan. I endorse the State of Minnesota's Affirmative Action efforts. No one will be denied opportunity for participation in our programs, employment, or promotion based on race, color, creed, marital status, status with regard to public assistance, disability, sexual orientation, age, religion, national origin, sex or membership activity in a local Commission. The Minnesota Department of Economic Security's policies and practices will be reviewed periodically in order to identify and eliminate any barriers to equal opportunity.

Affirmative Action is the concept of taking positive steps to improve the work opportunities for those individuals who may have been discriminated against in the past and who may continue to suffer the effects of discrimination. Our State Legislature has designated three protected groups. They are racial minorities, women, and persons with disabilities. The Minnesota Department of Economic Security will endeavor to recruit, hire and retain qualified protected group members where they are under-represented in our workforce.

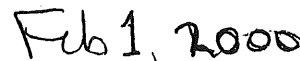
I have designated Michael Hyatt and Kathy Mullarky as our Equal Opportunity Officers. If any employee or client believes s/he has been subjected to discrimination, s/he should contact the Office of Diversity and Equal Opportunity (ODEO) at 651/296-1823. Our Affirmative Action plan is available in the ODEO and on our Intranet at [des.state.mn.us./support/odeo/affirm](http://des.state.mn.us/support/odeo/affirm).

I personally urge all employees to become acquainted with our Affirmative Action Plan. It is the responsibility of all employees to promote and apply the principles of equal opportunity in their work and to cooperate fully with the Department's Affirmative Action Plan. I believe that Affirmative Action is a positive effort to utilize the skills and resources not only of those who have been denied opportunity in the past, but of all present and future employees. I invite you to join me in our continuing effort to ensure that Equal Employment Opportunity is a reality within the Department of Economic Security.

The MDES can provide this information in alternative formats, such as large print, Braille or audio tape, by calling 651/296-1823 (voice) or 651/282-5174 (TTY).



Commissioner



Date

III. RESPONSIBILITIES, DUTIES AND ACCOUNTABILITY

RESPONSIBILITIES, DUTIES AND ACCOUNTABILITY

I. Commissioner

Responsibilities: To oversee and ensure implementation and compliance of the Department's Equal Opportunity Policy and Affirmative Action Program..

Duties:

1. To appoint or designate an Equal Opportunity Officer.
2. To include accountability for the administration of the Agency's Affirmative Action Plan in his or her position description.
3. To require managers and supervisors to include responsibility statements for affirmative action in their position descriptions and annual objectives.
4. To take action on complaints of discrimination as outlined in the Affirmative Action Plan complaint procedure.
5. To issue a written statement to all employees affirming support of the State's Equal Opportunity Policy and the Department's Affirmative Action Program.
6. To make decisions and changes in policy, procedures, or reasonable accommodations as may be needed to facilitate effective affirmative action.

Accountability: Governor, directly, and indirectly to the Commissioner of the Department of Employee Relations (DOER) and the DOER Director of the Office of Diversity and Equal Opportunity.

II. Equal Opportunity Officer

Responsibilities: To administer the Department's Affirmative Action program.

Duties:

1. To monitor the day to day activities of the Affirmative Action Program.
2. To assist managers and supervisors in their affirmative action responsibilities.
3. To advise the Commissioner on all matters related to Affirmative Action and Equal Employment Opportunities.
4. To investigate alleged discrimination complaints and submit written summary of the issues, findings, conclusions and recommendations to the Commissioner.

5. To establish annual hiring goals and revise the Department's Affirmative Action Plan as required by the Minnesota Department of Employee Relations.
6. To ensure that the Affirmative Action Plan is available to the agency staff.
7. To oversee the Department's pre-hire review process.
8. To monitor employee exit interviews, to investigate identified complaints on those interviews.
9. To act as a liaison between the Department and the Office of Diversity and Equal Opportunity at the Department of Employee Relations.
10. To determine the need for affirmative action and cultural diversity training and to initiate the development of appropriate training programs.
11. To provide preventing sexual harassment training for the Department.
12. To review Department policies, procedures, programs, and reasonable accommodations for persons with disabilities and to recommend changes to the Commissioner as the individual responsible for compliance with the Americans with Disabilities Act (ADA).
13. To participate in the recruitment of protected class persons for employment, promotion and training opportunities.
14. To maintain contacts with protected class resources for recruitment purposes, and to hold membership in community organizations to keep abreast of new developments in the area of affirmative action.

Accountability: The MDES Commissioner and Human Resource Management Director.

III. Directors, Managers and Supervisors

Responsibilities: To ensure compliance with the Departments Affirmative Action Program and to ensure equal treatment of all employees.

Duties:

1. To assist the Affirmative Action Officer in identifying and resolving problems and eliminating barriers which inhibit equal employment opportunity.
2. To hire and promote qualified protected class members where a disparity exists, and to insure equal treatment in all aspects of employment for each protected group.
3. To communicate and demonstrate a personal commitment to the Department's Affirmative Action Plan to all employees in their area of responsibility.

4. To consult with the Equal Opportunity Officer on human resource actions involving work-out-of-class appointments, discharge of a protected class employee, and the review of all interview questions.
5. To include responsibility statements for Affirmative Action/Equal Employment Opportunity in their position descriptions, and annual performance objectives.
6. To assist and make recommendations to the Equal Opportunity Officer in recruitment activities.
7. To discuss and document training needs and discuss career planning goals with each employee during scheduled performance evaluations.
8. To ensure the Department's Affirmative Action Plan is communicated to subordinates.

Accountability: The Deputy Commissioner, directly, and the Commissioner, indirectly.

IV. Human Resource Management Director

Responsibilities: The Human Resource Management Director is responsible to insure that all personnel policies are administered fairly and are uniformly applied to all employees, and shall take positive action to remove all barriers to equal employment opportunity within the Department.

Duties: The duties of the Human Resource Management Director shall include, but not be limited to, the following:

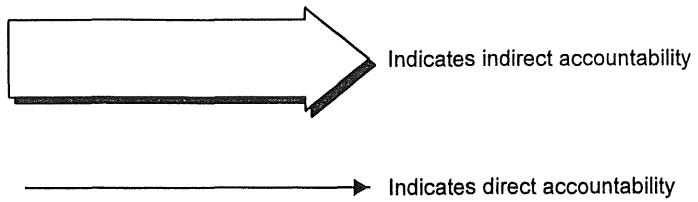
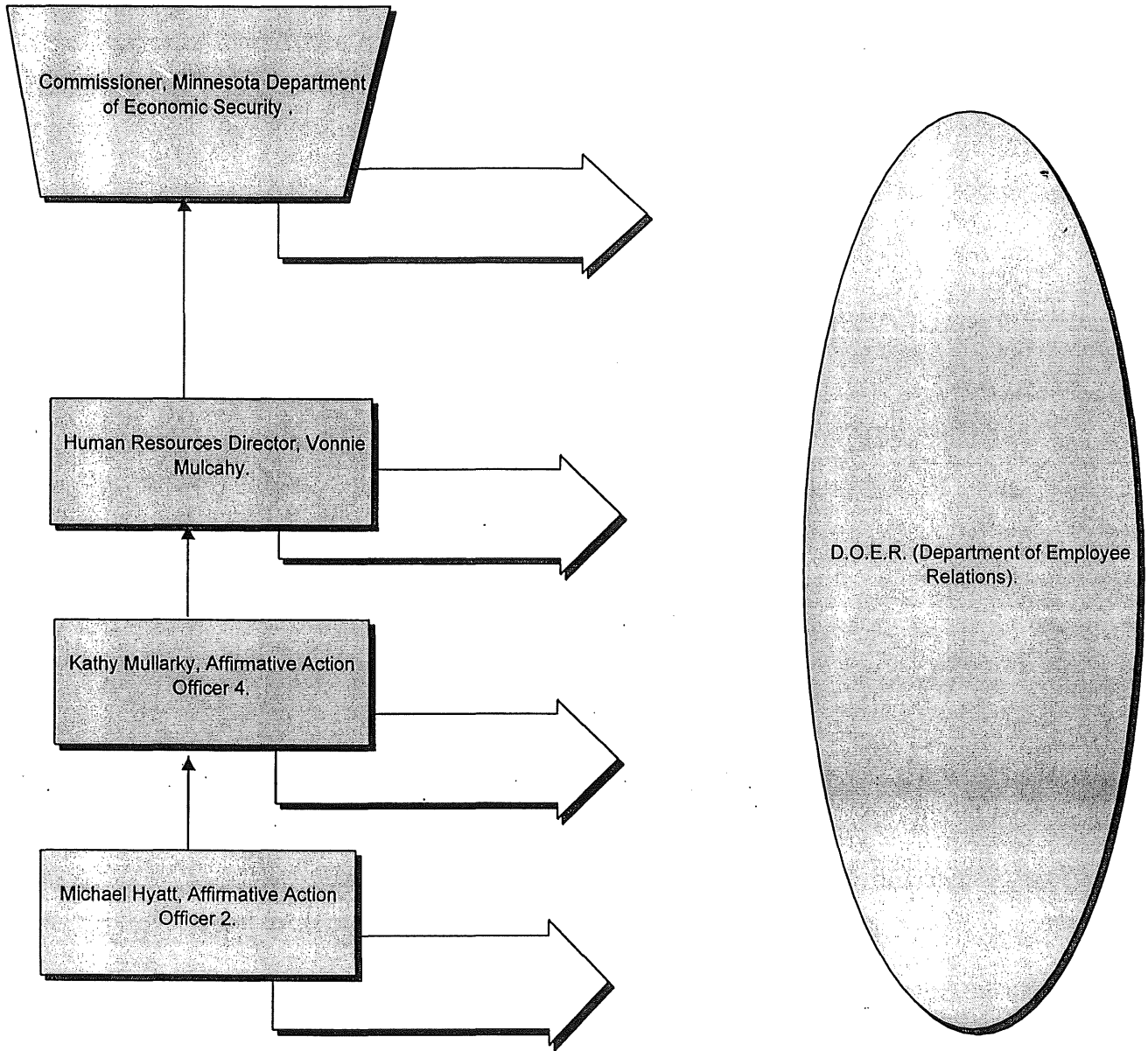
1. To make available to the Equal Opportunity Officer all records and all informational data necessary to perform affirmative action duties and responsibilities.
2. To allow the Equal Opportunity Officer to participate in the decision making process of some personnel actions including hiring, promotion, disciplinary actions, reallocation, transfer and termination, department and division-wide classification studies.
3. To initiate and report on specific Affirmative Action Program objectives which are incorporated into the Affirmative Action Plan.
4. To aid in the recruitment of members of protected classes and notify managers and supervisors of existing disparities, at the time of the employment interview.

Accountability: The Commissioner and Deputy Commissioner, directly.

V. All Employees

Responsibilities: All employees shall be responsible for conducting themselves in accordance with the policies and procedures of the Affirmative Action Plan. Employees will refrain from any actions which would adversely affect the performance of a co-worker with respect to their race, color, creed, religion, national origin, sex (including sexual harassment), marital status, public assistance status, disability, sexual orientation, age, or membership in a local Human Rights Commission.

Department of Economic Security Organization Chart.



IV. COMMUNICATION OF AFFIRMATIVE ACTION PLAN

Dissemination of Affirmative Action Plan

The following steps will be undertaken to insure that all employees are advised of, and understand, the Department of Economic Security's policy of nondiscrimination and its interests in actively and affirmatively providing equal opportunity in all employment practices.

Internal Dissemination

Statements and posters ensuring non-discrimination are permanently posted and conspicuously displayed in areas available to employees and consumers for employment at all Minnesota WorkForce Centers and MDES locations.

The MDES Office of Diversity and Equal Opportunity publishes brochures that outline the MDES Affirmative Action Plan and discrimination complaint procedures. The brochures are available to all employees and consumers.

The Affirmative Action Plan is available in book form to each manager, supervisor and all staff at all job sites and locations.

The Affirmative Action Plan is available to anyone who requests this information. The Office of Diversity and Equal Opportunity will supply the plan in part or full and it will be made available, on request, in alternative format.

Each new employee is furnished with a copy of the MDES equal employment/Affirmative Action policies.

Orientation is conducted during "New Employee Orientation" to inform all new employees of our commitment to equal employment opportunities/Affirmative Action.

MDES equal employment/Affirmative Action policies and complaint procedures are included in our policy manual (Number 417).

The Affirmative Action plan is available on the MDES Intranet at [intraweb.des.state.mn.us./support/odeo/affirm](http://intraweb.des.state.mn.us/support/odeo/affirm).

External Dissemination

Statements and posters ensuring non-discrimination are permanently posted and conspicuously displayed in areas available to employees and consumers for employment at all Minnesota WorkForce Centers and MDES locations.

MDES will encourage recruitment resources to recruit and refer qualified females, minorities and persons with disabilities for employment with the Department.

The MDES Office of Diversity and Equal Opportunity publishes brochures that outline the MDES Affirmative Action Plan and complaint procedures. The brochures are available to all employees and consumers.

MDES will ensure that all client forms, brochures, handouts and advertising have Equal Opportunity and/or Affirmative Action statements which reiterate the Department's Policy or commitment.

The Affirmative Action Plan is available to anyone who requests this information. The Office of Diversity and Equal Opportunity will supply the plan in part or full and it will be made available, on request, in alternative format.

V. DISCRIMINATION COMPLAINT PROCEDURE

MDES DISCRIMINATION POLICY

#417

Table of Contents

- Introduction
- Definitions
- Policy
- Complaints

-- General Provisions

-- Complaint Process

Contact Person:

Michael Hyatt

651/282-5193

INTRODUCTION

Discrimination because of, based on, or directed at an individual's protected class characteristic is a violation of Title VII of the Civil Rights Act of 1964, as amended; Chapter 363 of the Minnesota Human Rights Act; the American with Disabilities Act (ADA); and the Age Discrimination in Employment Act (ADEA).

This chapter provides guidelines for dealing with discrimination in Minnesota Department of Economic Security (MDES) facilities. Employees may request more information and assistance from the MDES Office of Diversity and Equal Opportunity (ODEO). Also, the MDES Training and Learning Resources Office offers sexual harassment training; employees must attend this training at least once every five years.

DEFINITIONS

Discrimination: To segregate, treat differently, or make an employment decision on the basis of an individual's protected class characteristic, i.e., race, color, creed, religion, national origin, sex (including sexual harassment), marital status, status with regard to public assistance, disability, sexual orientation, age, or membership in a Human Rights Commission.

Discriminatory Harassment: Verbal or physical conduct of a discriminatory nature when:

1. Submission to that conduct/communication is made either explicitly or implicitly a term or condition of obtaining employment, public accommodations, or public services; or
2. Submission to, or rejection of, that conduct/communication is used as a factor in decisions affecting the obtaining of employment, public accommodations, or public services; or

3. That conduct/communication has the purpose or effect of substantially interfering with the obtaining of employment, public accommodations, or public services; or creating an intimidating, hostile, or offensive environment when obtaining employment, public accommodations, or public services; and in the case of employment, the employer knows or should know of the existence of the discriminatory harassment and fails to take timely and appropriate action.

Discriminatory harassment may take these forms: repeated disparaging, belittling, demeaning, or insulting remarks; repeated jokes about an employee or a characteristic unique to the employee; or sabotage of an employee's character, reputation, work efforts, or property. It may be further defined by:

- Sexual

Any of the above behavior that is of a sexual nature that the recipient or bystander finds unwelcome. Unwanted sexual comments, looks, innuendoes, or suggestions about one's body or sexual activity. Unwanted, unnecessary touching, brushing against one's body, patting, or pinching. Demanding sexual favors accompanied by implied or overt threats concerning conditions of employment. Displaying pictures or objects depicting nude or scantily clad women or men in work areas. Use of language implying inferiority based on sex. The deliberate or careless reaction of an atmosphere of sexual harassment or intimidation.

NOTE: The Minnesota Human Rights Act defines sexual harassment as: "Behavior that includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature when: 1) submission to that conduct or communication is made either explicitly or implicitly a term or condition of obtaining employment, public accommodations, or public services; or 2) submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment, public accommodations, or public services; or 3) that conduct or communication has the purpose or effect of substantially interfering with an individual's employment, public accommodations, or public services; or creating an intimidating, hostile, or offensive employment, public accommodations, or public services; and in the case of employment, the employer knows or should know of the existence of the harassment and fails to take timely and appropriate action."

- Race, Color, Sex, or National Origin

Any behavior previously listed that is applied to one's race, color, sex, or national origin. Telling jokes or making derogatory remarks about one's race, color, sex, or national origin. Use of language implying inferiority of a race, sex, or national origin.

- Religion, Disability, Age, or Sexual Orientation

Any behavior previously listed that is directed at an individual's religion, disability, age, or sexual orientation. Use of demeaning, derogatory remarks in reference to an employee's religion, disability, age, or sexual orientation.

Local Human Rights Commission: An agency of a city, county, or group of counties created pursuant to law or a resolution of a county board, city charter, or municipal ordinance for the purpose of dealing with discrimination on the basis of race, color, creed, religion, national origin, sex, age, disability, marital status, status with regard to public assistance, sexual orientation, or familial status.

Marital Status: Whether a person is single, married, remarried, divorced, separated, or a surviving spouse; and, in employment cases, includes protection against discrimination on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.

National Origin: The place of birth of an individual or any of the individual's lineal ancestors.

Person with a Disability: A person who 1) has a physical, sensory, or mental impairment which materially limits one or more major life activities; 2) has a record of such an impairment; or 3) is regarded as having such an impairment.

NOTE: A "qualified person with a disability" is: 1) with respect to employment, a person with a disability who, with reasonable accommodation, can perform the essential functions required of all applicants for the job in question; and 2) with respect to public services, a person with a disability who, with or without reasonable modifications to rules, policies, or practices; removal of architectural, communications, or transportation barriers; or the provision of auxiliary aids and services, meets the essential eligibility requirements for receipt of services and for participation in programs and activities provided by the public service. For this purpose, "disability" excludes any condition resulting from alcohol or drug abuse which prevents a person from performing the essential functions of the job in question or constitutes a direct threat to property or the safety of others. If a respondent contends that the person isn't a qualified person with a disability, the burden is on the respondent to prove that it was reasonable to conclude the person with the disability, with reasonable accommodation, couldn't have met the requirement of the job or that the selected person was demonstrably better able to perform the job.

Religion: A commitment or devotion to a religious faith or observance.

Sex: Includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.

Sexual Harassment: See "Discriminatory Harassment."

Sexual Orientation: Having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person; or having or being perceived as having an orientation for such attachment; or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. "Sexual orientation" doesn't include a physical or sexual attachment to children by an adult.

Status with Regard to Public Assistance: The condition of being a recipient of federal, state, or local assistance--including medical assistance--or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.

POLICY

MDES will ensure and maintain an environment that is free of discrimination and discriminatory harassment at all MDES sites and facilities.

COMPLAINTS

GENERAL PROVISIONS

- In the course of a complaint, all documentation associated with the complaint will be considered confidential; the status of the complaint, however, is public.
- Coercion, reprisal, or intimidation against those filing a complaint (the "complainant") or serving as a witness is prohibited.
- ODEO has the discretion to accept a complaint after termination of employment. Complaints usually won't be investigated while the matter is being simultaneously pursued through other internal grievance and/or appeal processes.
- The complainant, through the equal opportunity officer or the commissioner, will be advised of his/her right to file a charge of discrimination--within 365 days after the occurrence--with the Minnesota Department of Human Rights or within 300 days with the Equal Employment Opportunity Commission; or to file with an attorney in private practice.
- Regardless of the outcome of an investigation, MDES will take no adverse or retaliatory action against a complainant who reports conduct s/he considers to be a violation of MDES' policy against discrimination.

COMPLAINT PROCESS

Before filing complaints with ODEO, employees may bring discrimination concerns to their supervisors to try to reach a satisfactory resolution; supervisors must give the complainants an oral or written answer within a timely manner. Or, complainants (including employees, clients, applicants, and eligibles) may formally present complaints to the equal opportunity officer-or directly to the commissioner. This is the complaint process:

Who	Step	What
Complainant	1	At the time of filing, complete an intake questionnaire, available from ODEO. Provide all supporting evidence; sign a

written charge; and submit the materials to the equal opportunity officer. Complaints should be brought within one year after the occurrence.

Equal Opportunity Officer (EOO) 2

Determine, within 30 days of receiving the complaint, whether the complaint alleges discrimination against the individual's protected class characteristic and if the complaint is timely and proper for resolution through this complaint procedure.

- If it's determined that the complaint is in fact a discrimination complaint, continue to Step 3.

- If it's determined that the complaint isn't related to discrimination, refer it to the complainant's supervisor, the Human Resources Office, the site manager, or the proper administrative agency for investigation.

NOTE: If the complainant is suffering irreparable harm in the absence of immediate action, the equal opportunity officer, the Human Resources director, or the commissioner may take whatever action is deemed appropriate to remedy the situation while the complaint is being investigated.

EOO 3

Investigate the complaint. This may include interviews with, or statements from, all parties involved, including the complainant, respondent complainant's supervisor(s), witnesses, and co-workers; and a review of all pertinent records or documents relating to the complaint.

EOO 4

Upon completion of the investigation, prepare a written report determining if the complaint was sustained. The complaint may conclude with both parties reaching an agreement on their own. The claim may also be dismissed as unsubstantiated due to a lack of evidence to conclude that discrimination has occurred.

Appropriate Management Staff 5

Review the investigation report and, if deemed necessary, take proper corrective action up to and including discharge when the investigative findings give merit to the complaint allegations.

A written explanation of the investigative findings will be provided to the complainant and respondent within 60 days after filing the complaint. Management is responsible for corrective and disciplinary action, follow-up inquiries, and any training that is felt necessary.

Regardless of the decision, the complainant may file a charge of discrimination directly with the Minnesota Department of Human Rights, the Equal Employment Opportunity Commission (EEOC), or pursue the grievance through private court action.

The investigative file stays in ODEO. The file is confidential and kept separate from an employee's personnel file; it can only be accessed as permitted by the Minnesota Data Practices Act. Disposition of complaints must be filed with the Department of Employee Relations' commissioner within thirty days of final determination.

Issue date: 07/99

VI. GOALS & TIMETABLES

2000 Annual Goals

Anticipated Hiring of disparate protected group members when a good faith effort is made to remove the barriers that prevent full participation of minorities, females and persons with disabilities in state service. Consideration of turnover, growth and retraction needs to be made for each agency's goal/bargaining unit and for each of the three protected classes. Hiring goals for disparate groups should be considered whenever underutilization exists and there are one or more anticipated hires in the job group. The "Change +/-" column should reflect the difference between the current total workforce and the anticipated total workforce by the end of the fiscal year.

AGENCY: Economic Security (Metro)

DATE: January 14, 2000

JOB GROUP	CURRENT WORK FORCE				AVAILABILITY (%)			UNDERUTILIZATION # of Persons			Anticipated New Hires for Fiscal Year			Hiring Goals		
	TOT	FEM	MIN	DIS	FEM	MIN	DIS	FEM	MIN	DIS	Change +/-	Turnover	Total Hires	FEM	MIN	DIS
AFSCME 203 (Service)	9	3	1	2	23.0	9.2	12.82									
AFSCME 206 (Clerical)	291	257	23	29	48.0	7.9	12.82			7	0	15	15			4
AFSCME 207 (Technical)	28	17	2	2	49.5	7.2	12.82			2	0	4	4		1	1
MAPE 214 (Professional)	720	345	70	82	44.5	8.1	12.82			11	0	15	15			4
MMA 216 (Supervisory)	96	41	3	7	44.7	9.1	12.82	1	4	5	0	5	5	1	1	1
Commissioner's Plan	46	31	2	2	48.0	4.8	12.82			3	0	3	3		1	1
Managers	61	23	2	6	39.8	4.8	12.82	1	1	2	0	2	2	1	1	1

2000 Annual Goals

Anticipated Hiring of disparate protected group members when a good faith effort is made to remove the barriers that prevent full participation of minorities, females and persons with disabilities in state service. Consideration of turnover, growth and retraction needs to be made for each agency's goal/bargaining unit and for each of the three protected classes. Hiring goals for disparate groups should be considered whenever underutilization exists and there are one or more anticipated hires in the job group. The "Change +/-" column should reflect the difference between the current total workforce and the anticipated total workforce by the end of the fiscal year.

AGENCY: Economic Security (Outstate)
DATE: January 14, 2000

JOB GROUP	CURRENT WORK FORCE				AVAILABILITY (%)			UNDERUTILIZATION # of Persons			Anticipated New Hires for Fiscal Year			Hiring Goals		
	TOT	FEM	MIN	DIS	FEM	MIN	DIS	FEM	MIN	DIS	Change +/-	Turnover	Total Hires	FEM	MIN	DIS
AFSCME 206 (Clerical)	156	153	4	6		3.3	12.82			13		10	10		1	3
MAPE 214 (Professional)	317	137	14	41	48.0	4.6	12.82	12				10	10	4	1	1
MMA 216 (Supervisory)	42	11	0	11	38.6	4.9	12.82	10	2			3	3	1	1	
Commissioner's Plan	6	4	0	1	28.8	2.7	12.82		1	1		1	1		1	

2001 Annual Goals

Anticipated Hiring of disparate protected group members when a good faith effort is made to remove the barriers that prevent full participation of minorities, females and persons with disabilities in state service. Consideration of turnover, growth and retraction needs to be made for each agency's goal/bargaining unit and for each of the three protected classes. Hiring goals for disparate groups should be considered whenever underutilization exists and there are one or more anticipated hires in the job group. The "Change +/-" column should reflect the difference between the current total workforce and the anticipated total workforce by the end of the fiscal year.

AGENCY: Economic Security (Metro)
DATE: January 14, 2000

JOB GROUP	CURRENT WORK FORCE				AVAILABILITY (%)			UNDERUTILIZATION # of Persons			Anticipated New Hires for Fiscal Year			Hiring Goals		
	TOT	FEM	MIN	DIS	FEM	MIN	DIS	FEM	MIN	DIS	Change +/-	Turnover	Total Hires	FEM	MIN	DIS
AFSCME 203 (Service)																
AFSCME 206 (Clerical)											0	15	15			4
AFSCME 207 (Technical)											0	4	4		1	1
MAPE 214 (Professional)											0	15	15			4
MMA 216 (Supervisory)											0	5	5	1	1	1
Commissioner's Plan											0	3	3		1	1
Managers											0	2	2	1	1	1

2001 Annual Goals

Anticipated Hiring of disparate protected group members when a good faith effort is made to remove the barriers that prevent full participation of minorities, females and persons with disabilities in state service. Consideration of turnover, growth and retraction needs to be made for each agency's goal/bargaining unit and for each of the three protected classes. Hiring goals for disparate groups should be considered whenever underutilization exists and there are one or more anticipated hires in the job group. The "Change +/-" column should reflect the difference between the current total workforce and the anticipated total workforce by the end of the fiscal year.

AGENCY: Economic Security (Outstate)

DATE: January 14, 2000

JOB GROUP	CURRENT WORK FORCE				AVAILABILITY (%)			UNDERUTILIZATION # of Persons			Anticipated New Hires for Fiscal Year			Hiring Goals		
	TOT	FEM	MIN	DIS	FEM	MIN	DIS	FEM	MIN	DIS	Change +/-	Turnover	Total Hires	FEM	MIN	DIS
AFSCME 206 (Clerical)												10	10		1	3
MAPE 214 (Professional)												10	10	4	1	1
MMA 216 (Supervisory)												3	3	1	1	
Commissioner's Plan												1	1		1	

VII. PROGRAM OBJECTIVES

Program Objectives

Objective 1 Affirmative Action Education

Purpose: To communicate an understanding of the definitions and guidelines regarding diversity, persons with disabilities, the reasonable accommodation process, discrimination, sexual harassment and to further an awareness and understanding of the Americans with Disabilities Act, the Rehabilitation Act, the Minnesota Human Rights Act and Title VII of the Civil Rights Act of 1964.

1. Provide an overview of the Affirmative Action Plan for supervisors. Provide specific information about components of the Plan for which supervisors will be held accountable.
2. Emphasize to supervisors and managers their role in implementing the Affirmative Action Plan, fostering diversity and respect in the workplace, and creating an atmosphere that contributes to retention of protected group members.
3. Continue to include coverage of the agency Affirmative Action Plan as part of the agency orientation session with newly hired staff.
4. Continue to deliver the ongoing training program of ADA overview to all new staff.
5. Continue to deliver ongoing training to all employees, managers and supervisors in employment issues under ADA.
6. MDES is exploring ways to develop and deliver diversity training with a focus on the Minnesota Human Rights Act.
7. Continue to provide Preventing Sexual Harassment training to all MDES employees and partner agencies.
8. Continue to update policy, brochures, posters and media to disseminate to all staff.
9. Work with the Department of Employee Relations to identify educational opportunities and resources that agency staff can access to learn more about issues related to affirmative action.
10. Provide quarterly reports of hiring successes to agency managers and supervisors that indicate agency affirmative hiring efforts.

11. Continue to provide monthly e-mails to all supervisors and managers regarding important decisions and recent trends in Civil Rights law. In the e-mails, the Equal Opportunity Officer encourages suggestions for updates and input on specific topics managers and supervisors would like to see addressed. The Equal opportunity Officer also makes himself available to managers and supervisors to speak to staff about any matters pertaining to civil rights and/or affirmative action.

Responsibility: Equal Opportunity Officer, supervisors, managers and human resources staff.

Target Dates: January, 2000 - Ongoing

Objective 2 Keep abreast of EEOC guidance, case law, statutory requirements, procedures and trends within the field of Civil Rights.

1. Regularly visit the Fair Employment Practice Agencies websites for updates.
2. Review MDES training manual to ensure currency.
3. Regularly attend training conferences that address relevant ODEO issues.
4. Maintain contact with DOER for guidance and questions on pertinent ODEO topics.

Objective 3 Promote and Create a Respectful Workplace

Purpose: To continue to clarify behavioral expectations within the agency through training, written documents and other forms of communication so all employees understand the parameters for their interaction with one another.

1. Explore communication and human relations skills training to enhance agency employees' ability to work respectfully and effectively with others.
2. Include the department's mission and guiding values statement in new employee orientation packets. This document provides guidelines on how employees are expected to value one another and the department's internal and external customers.
3. Take appropriate action when employees behave inappropriately toward other employees or department customers.

Persons responsible: Managers; supervisors; labor relations director, Equal Opportunity Officer human resources staff and new employee orientation trainers.

Target Dates: January, 2000 - Ongoing

**VIII. METHODS OF AUDITING, EVALUATING & REPORTING
PROGRAM SUCCESS**

Pre Hire Review Process Recommended Change in Policy

April 7, 2000

Whenever a supervisor determines that there is a need to fill a vacancy, they must request the approval of the Assistant Commissioner in their chain of command prior to action being taken. This includes all vacancies including Permanent Classified Vacancies, Unclassified Vacancies Temporary Vacancies and Extensions of Current Temporary Appointments as well as Emergency Vacancies.

It is suggested that the supervisor copy their HR Generalist on these requests to the Assistant Commissioner so that HR is aware that a request may be coming. It is also suggested that the Assistant Commissioner copy HR on their responses to the supervisor.

Outside Hires

DRAFT

When supervisors have identified a desirable candidate to fill a vacancy and that candidate is not a current MDES employee, Assistant Commissioner and HR Director approval is required prior to hire. Exceptions to this guideline are entry level clerical hires, Rehabilitation Counselor positions and ITS positions. Again, it is suggested that supervisors submit requests for outside hire approval simultaneously to their Assistant Commissioner and to the HR Director (through your HR generalist) so that delays are minimized.

Requests for outside hire should include the following information:

- Resume or application of desired candidate.
- Information (if any) about any MDES employees who were interested and eligible for the vacancy and who were not selected. If none, state none.
- Information as to why the outside candidate was selected over MDES candidates.
- Brief description of selection process used to make hiring decision.

Overall, it will continue to be necessary to have hiring decisions reviewed at the Assistant Commissioner and the Human Resources Director levels. Following are the procedures we would like to implement.

The Generalist/Aide will request a certification from an eligible list. Prepare an Interview Report. Send the certification from the eligible list, candidate applications, and the Instructions for Interview Report and Selection Process, to the hiring supervisor. The Generalist/Aide will inform the hiring supervisor if a disparity exists, but not provide any documentation that includes race, gender or disability related information about the candidates.

The supervisor will record on the hiring report whether candidates are available for the vacancy. Consult the appropriate labor contract for applicable seniority provisions. Contact candidates by phone or letter to schedule interviews. Conduct interviews. Verify information on applications, such as required licenses, certificates, etc. Give appropriate test for typing or other specialized requirements. After interviewing all candidates tentatively select a candidate and inform the generalist/aide and Assistant Commissioner of the decision.

The generalist/aide will notify the Assistant Commissioner, Human Resources Director and the Equal Opportunity Officer if a disparity exists and the selected candidate isn't a protected group member. The Assistant Commissioner, Human Resources Director and the Equal Opportunity Officer will review the potential hire to insure that it is based on objective criteria.

The Equal Opportunity Officer will maintain and keep a record of all missed opportunities and affirmative hires and continue to provide quarterly updates to DOER.

Auditing the Affirmative Action Program

Objective: To ensure that the goals and diversity objectives support the department's commitment to Affirmative Action.

Record Keeping

The Equal Opportunity Officer will retain records reflecting hires, current representation of protected groups, turnovers and any discrimination complaints.

Evaluation

The Equal Opportunity Officer will evaluate the affirmative action plan by:

1. Reviewing monthly statistics reflecting current employment based on protected classes.
2. Review disciplinary actions taken during the past quarter to determine a discriminatory pattern within job class and bargaining units and location.
3. Review all discrimination complaints filed to determine a discriminatory pattern within job class, bargaining units and location.
4. Review interview process for positions in which there is underrepresentation.
5. Provide quarterly reports on agency hiring goals to management staff and the Commissioner.
6. Explore the development of a yearly "turnover report" to be provided to management and supervisors. The report would indicate how successful our selection and retention methods have been.

MDES SEASONAL LAYOFFS/RECALLS POLICY

#412

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- **Pre Review of Layoff Determinations by Equal Opportunity Officer**

Contact Person:

Vonnie Mulcahy
651/296-4811

INTRODUCTION

Seasonal appointments may be made to full-time or part-time positions, but the work schedule for this type of employment is cyclical in nature. A seasonal appointment may not exceed ten months in any twelve consecutive months.

A seasonal employee may be seasonally laid off during a season because of an office's decreased workload or budget concerns; however, at the end of a seasonal appointment, the seasonal

employee must be seasonally laid off. If a supervisor then still has a need for additional staff and chooses to make a temporary or emergency appointment, and there are no permanently laid-off employees available, the appointment must be offered to that seasonal employee who was laid off (permanently laid-off employees must be offered temporary or emergency appointments before seasonal employees).

This chapter provides guidelines for supervisors in the seasonal layoff of seasonal employees and in recalling employees from seasonal layoff. The policy applies only to employees identified on the Minnesota Department of Economic Security (MDES) seniority roster as "seasonal."

Seasonal layoff and return from layoff can be complex because of the conditions and requirements of the labor agreements. Refer to the appropriate article of the labor agreements for information: for AFSCME, Article 15, Section 4; for MAPE, Article 17, Section 4. Generalists/aides in the Human Resources Office can provide technical assistance.

POLICY

MDES supervisors have authority to initiate seasonal layoffs and recalls and will ensure that this delegated authority is administered in conformance with labor contracts.

SEASONAL LAYOFFS

MDES supervisors must maintain a record or tracking system of employees on seasonal layoff, for recall purposes, so that seasonal layoffs and recalls are accomplished timely.

NOTIFICATION

AFSCME seasonal employees must be notified at least 14 calendar days before the effective date of the anticipated seasonal layoff.

MAPE seasonal employees should be notified 21 calendar days whenever practicable, but at least 14 calendar days before the effective date of the anticipated seasonal layoff.

ORDER OF LAYOFF

The order of seasonal layoff for AFSCME seasonal employees is in inverse order of state seniority (Unit 206) and classification seniority (Unit 207) within the employment condition, seniority unit, and place of employment of the affected position, unless waived by mutual agreement between the employee and the supervisor.

The order of seasonal layoff for MAPE seasonal employees is in inverse order of classification seniority within the place of employment of the affected position, unless waived by mutual agreement between the employee and the supervisor.

PROCEDURE

This is the procedure to use for a seasonal layoff.

Who	Step	What
Supervisor	1	Determine that due to a decreased workload in the office, budget concerns, or the completion of a season, a seasonal employee will be seasonally laid off.

NOTE: If more than one seasonal employee is affected and they won't all be seasonally laid off, seasonal layoffs must be in inverse order of applicable seniority of those in the same principal place of employment. Issues may arise when there are a number of seasonal employees in the same classification and they have different seasons. Contact the Human Resources generalist or aide for assistance.

	2	Notify the seasonal employee, the appropriate union, and the Human Resources Office in writing at least 14 calendar days before the effective date of seasonal layoff. Prepare a "Seasonal Layoff" memo (see sample) for this notification; the anticipated date of recall must be included.
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	3	If the employee is available for temporary or emergency work, have the employee complete a "Temporary/Emergency Work Availability" form; send it to Human Resources.
--	---	--

NOTE: To be eligible for temporary and emergency appointments after they are laid off, seasonal employees must have indicated availability for appointments, in writing, on a "Temporary/Emergency Work Availability" form, to the Human Resources Office at the time of the seasonal layoff.

Human Resources	4	Process layoff transaction so that payroll and insurance information will be processed timely. Place the employee on seasonal layoff.
	5	Send the employee a "Seasonal Layoff Information" letter that includes a "Request for Continuation of (insurance) Coverage" form.

Who	Step	What
Employee	6	Sign and return the "Seasonal Layoff Information" letter to the Human Resources Office. Complete and sign the "Request for Continuation of Coverage" form; send it to the Department of Employee Relations within 30 days.
Supervisor	7	Set up a tracking system to monitor seasonal employees' seasons (especially when there is more than one season in the principal place of work).
	8	Determine the staffing needs of the office and, if appropriate, offer a temporary or emergency position to an employee in seasonal layoff in accordance with contract provisions that determine the priority order for seasonal employee(s).
Human Resources	9	Process the temporary/emergency appointment.

SEASONAL RECALLS

Seasonal employees must keep their supervisors informed of their current address so that proper notice of recall can be made.

If there is a need to fill a position with a temporary or emergency appointment, and there aren't any permanently laid off employees available, the appointment must be offered to seasonal employees who are seasonally laid off if the position is in the same class and principal place of employment from which they were seasonally laid off in the order of applicable seniority.

If a seasonally laid off employee returns to work on a temporary or emergency appointment, supervisors must notify the generalist or aide immediately. This is necessary to process the return and get the employee back on the payroll.

NOTIFICATION

The employee must be personally notified of recall, by certified mail (return receipt required), at least 15 calendar days before the reporting date. The employee must then notify the supervisor by certified mail (return receipt required), within five calendar days of the return notice received, of his/her intent to return to work, and must report for work on the reporting date unless other arrangements are made.

ORDER OF RECALL

If all seasonal AFSCME and MAPE employees aren't recalled at the same time, they must be recalled in the order of applicable seniority to the seniority unit, employment condition, and place of employment from which they were laid off.

PROCEDURE

This is the procedure to use for a seasonal recall.

Who	Step	What
Supervisor	1	Determine need to recall a seasonal employee in the order of classification seniority, employment condition, and principal place of employment.
	2	Send a letter of recall to the employee at least 15 calendar days before the anticipated return date, with copies to the appropriate union and Human Resources immediately. If the seasonally laid off employee isn't being recalled on the anticipated recall date, contact Human Resources
Employee	3	Notify the supervisor, of intent to return to work, within five calendar days of receipt of recall notice.
	4	Report to work on scheduled return date and at scheduled time.
Human Resources	5	Process appropriate paperwork for payroll and insurance coverage. Send the supervisor a "Work Schedule" form. Send the employee any applicable insurance application forms.
Supervisor	6	Complete and sign the "Work Schedule" form; send it to Human Resources immediately.
Employee	7	Complete and sign the insurance application forms. Send them to Human Resources within one week of receiving them.
Supervisor	8	Update tracking system for next seasonal layoff.

REMOVAL FROM SEASONAL LAYOFF RECORD

A seasonal employee will be removed from the seasonal layoff record for any of these reasons:

- 1. Failure to accept recall to a seasonal position;
- 2. Resignation, retirement, or termination from state service;
- 3. Acceptance of a full-time or part-time unlimited position in the same, higher, or equal class; or
- 4. Conversion to permanent layoff.

CONVERSION TO PERMANENT LAYOFF

A seasonal employee will be converted to permanent layoff if:

- 1. The principal place of employment is abolished;
- 2. There is no anticipated date of recall; or
- 3. For an AFSCME seasonal employee, if there is no recall from seasonal layoff within 60 days of the anticipated date of recall, the employee is converted to permanent layoff.

Supervisors must notify the Human Resources generalist if it becomes necessary to permanently lay off a seasonal employee.

MAILING LIST

Notification of a layoff for an AFSCME and/or MAPE seasonal employee must be sent to both of the AFSCME representatives and MAPE Representative shown below.

AFSCME COUNCIL 6, AFL-CIO:

Bob Clegg (651/450-4990)
AFSCME Council 6, AFL-CIO
300 South Hardman Ave., Ste. 3
So. St. Paul, MN 55075

AFSCME LOCAL 22:

Lois Willock (651/634-5012)
AFSCME Local 22
Benefit Call Center
P.O. Box 75668
Roseville, MN 55113

MINNESOTA ASSOCIATION OF PROFESSIONAL EMPLOYEES (MAPE):

Deb Schadegg (651/227-6457)
MAPE President
411 Main Street, Rm. 400
St. Paul, MN 55102

Pre Review of Layoff Determinations by Equal Opportunity Officer

MDES management will make layoff determinations consistent with policy and applicable bargaining unit contract language.

The Human Resources director and the Equal Opportunity Officer will review layoff determinations prior to implementation to determine the effect on agency affirmative action goals and timetables. Any negative impact will be addressed via the pre-employment review process.

Nothing in this process will be considered an obstruction to the layoff and recall Language in an applicable contract negotiated between the State and employee unions/associations.

SEASONAL LAYOFF - AFSCME

Supervisors should develop their own memo containing this content.

STATE OF MINNESOTA <i>Office Memorandum</i>	
DEPARTMENT: ECONOMIC SECURITY	
TO: _____	DATE: X
FROM: _____	PHONE: _____
SUBJECT: SEASONAL LAYOFF - AFSCME	
<hr/>	
<p>Because of an anticipated reduction in the workload, you will be placed on seasonal layoff effective the close of business on _____. This is in accordance with the provisions of Article 15, Section 4, of the agreement between the State of Minnesota and the State Employees Union, AFSCME, Council 4. We anticipate that you will be recalled to employment on _____.</p>	
<p>Under the negotiated provisions of the Collective Bargaining Agreement between the State and AFSCME, Council 4, employees on seasonal layoff who are not working for the State are to be offered appointments to temporary and emergency vacancies within their seniority unit while on seasonal layoff. In order for employees to be offered such positions, our office must be made aware of the availability of employees for such work. Therefore, if you are interested in being considered for a temporary or emergency position during the term of your seasonal layoff, please return the attached form to the Department of Economic Security, Office of Human Resources.</p>	
<p>Please contact Human Resources Generalist, _____ at (651) _____ if you have any questions regarding your seasonal layoff.</p>	
<p>c. (FORMS) (Generalist) (Sr. Personnel Aide) Lois Wilford, AFSCME Local 22 Bob Long, AFSCME</p>	

SEASONAL LAYOFF - MAPE

Supervisors should develop their own memo containing this content.

STATE OF MINNESOTA
Office Memorandum

DEPARTMENT: ECONOMIC SECURITY

TO: x

DATE: X

FROM: x

PHONE: x

SUBJECT: SEASONAL LAYOFF - MAPE

Because of an anticipated reduction in the workload, you will be placed on seasonal layoff effective the close of business on _____. This is in accordance with the provisions of Article 17, Section 4, of the agreement between the State of Minnesota and the Minnesota Association of Professional Employees. We anticipate that you will be recalled _____.

Please contact Human Resources Generalist, _____ at (651) _____ if you have any questions regarding your seasonal layoff.

cc: (FORMS)
(Generalist)
(Sr. Personnel Aide)
Deb Schaeffg, MAPE

TEMPORARY/EMERGENCY WORK AVAILABILITY

This form is available from the Human Resources Office.

DEPARTMENT OF ECONOMIC SECURITY

Temporary/Emergency Work Availability

NAME: _____ DATE: _____

SOCIAL SECURITY #: _____

ADDRESS: _____
(Street) (City) (State) (Zip)

TELEPHONE #: () - () (Home) () - () (Work)

1. List the classification(s) for which you have been placed on layoff.

2. List the geographic location(s) from which you were laid off.

3. When were you placed on seasonal or permanent layoff? _____

4. Are you currently working for the State of MN? _____

If you answered yes to number 4, please answer the following:

a. Which department are you working for? _____

b. What is your employment condition (e.g., full-time, part-time, seasonal, temporary)?

c. What is your scheduled end date if temporary or emergency? _____

5. Would you accept temporary employment which lasts from 30 days to 6 months? _____

6. Would you accept emergency employment which lasts from 1 working day to 45 working days? _____

NOTE: To remain eligible for non-permanent employment, please advise the Office of Human Resources, 390 North Robert Street, St. Paul, MN 55101, of any changes.

RECALL FROM SEASONAL LAYOFF - AFSCME

Supervisors should develop their own memo containing this content.

STATE OF MINNESOTA
Office Memorandum

DEPARTMENT: ECONOMIC SECURITY

TO: DATE:

FROM: PHONE:

SUBJECT: RECALL FROM SEASONAL LAYOFF - AFSCME

In conformance with Article 15, Section 4, of the Agreement between the State of Minnesota and the Minnesota State Employees Union, AFSCME, Council 6, you are hereby being recalled from seasonal layoff. Please report to work on _____ (Date) .

As stated in Article 15, Section 4, of the Union Agreement, "the employee shall notify the Appointing Authority by certified mail (return receipt required) within five (5) calendar days of receipt of notification, of intent to return to work and shall report for work on the reporting date unless other arrangements are made."

Your name will be removed from the seasonal layoff list if you do not respond to this recall and you will be terminated from this classification appointment.

C: (FORMS)
(Generalist)
(Sr. Personnel Aide)
Lois Willock, AFSCME Local 22
Bob Clegg, AFSCME

RECALL FROM SEASONAL LAYOFF - MAPE

Supervisors should develop their own memo containing this content.

STATE OF MINNESOTA
Office Memorandum

DEPARTMENT ECONOMIC SECURITY

TO: DATE:

FROM: PHONE:

SUBJECT RECALL FROM SEASONAL LAYOFF - MAFB

In conformance with Article 17 of the Agreement between the State of Minnesota and the Minnesota Association of Professional Employees, you are hereby being recalled from seasonal layoff. Please report to work on _____.

As stated in Article 17, Section 4B, of the Union Agreement, "The employee shall notify the Appointing Authority by certified mail (return receipt required) within five (5) calendar days of receipt of notification of return to work and shall report to work on the reporting date unless other arrangements are made."

Your name will be removed from the layoff list if you do not respond to this recall and you will be terminated from this classification appointment.

c: (FJL/MS)
(Generalist)
(St. Personnel Aide) ...
Deb Schaefer, MAFB

WORK SCHEDULE

The Human Resources Office sends this form to supervisors.

State of Minnesota
Office Memorandum

DEPARTMENT OF ECONOMIC SECURITY
Human Resources

TO: @
#@

DATE: July 12, 1999

FROM: Vicki Thibodeau
Insurance Supervisor

PHONE: (651) 296-3662

SUBJECT: Work Schedule - @

New Hire Return from Season OIT
 Change in Employment Condition Return from Leave of Absence
 Return from Layoff

If at any time the employee's work hours change and affect the eligibility requirements stated below, please notify your personnel generalist in writing prior to the date the change occurs.

BARGAINING UNIT ELIGIBILITY REQUIREMENTS

Please check the appropriate statement for bargaining unit eligibility:

- It is anticipated that the employee will work 14 hours or more per week and 67 or more work days in any calendar year.
 It is anticipated that the employee will work less than 14 hours per week and less than 67 days in any calendar year.

INSURANCE ELIGIBILITY REQUIREMENTS

(Intermittent employees are not eligible to receive insurance benefits)

In accordance with the Labor Agreements, employees must meet one of the following requirements to be eligible to receive full State contribution for medical/dental insurance:

- (1) Scheduled to work at least 40 hours weekly for a period of 9 months or more in any 12 consecutive months; or
- (2) Scheduled to work at least 30 hours weekly for a 12 consecutive month period.

If the employee does not meet the above requirements, the State will, at the employee's option, contribute partially (50% for MAPE and MBA employees; and 75% for AFSCME employees) toward the premium for medical and dental coverages for the employee and dependents if the employee meets one of the following:

(over)

Issue date: 07/99

IX. WEATHER EMERGENCIES AND EVACUATION

MDES EMERGENCY PROCEDURES POLICY

#208

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- Definitions
- Policy

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- Other Emergencies
- Emergency Leave Limitations

Central Office Plan

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- Supervisors
- Floor Captains
- Facilities Manager
- Procedures
- Civil Defense Siren Sounds
- Building Alarm Sounds
- Power Outage
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- Employee Detects a Fire
- Employee Receives a Bomb Threat
- Employee is Stranded in an Elevator
- Other Emergency Situations
- Evacuation Maps
- Lower Level
- 1st Floor
- 2nd, 3rd, 4th, and 5th Floors

Contact Person:

John Stavros
651/296-3965

INTRODUCTION

When an emergency situation occurs, it's important for Minnesota Department of Economic Security (MDES) employees to know what action to take. There are two basic types of emergencies which affect employee health and safety:

1. Environmental emergencies which affect everyone in the building, such as threatening weather, community disasters, fires, bomb threats, power outages, and other potentially dangerous situations; and
2. Medical emergencies which usually endanger only one person.

The policy in this chapter applies to all MDES offices; so does the procedure covering office closings. The other procedures apply only to the Central Office; specific emergency instructions for all other MDES offices can be found in each of those offices, posted in a conspicuous place.

Minnesota Workforce Center (MWC) and field office managers develop/update emergency procedures and plans in their work locations; the facilities manager does it for the Central Office.

DEFINITIONS

Building Alarm: The very loud, continuous horn sound heard throughout a building that signals employees must leave the building.

Civil Defense Siren: The siren sounded by local authorities to warn 1) that a tornado or other threatening weather is in the area, or 2) of some other dangerous situation outside.

Emergency Leave: Paid leave approved by the Department of Employee Relations' (DOER) commissioner when a natural or man-made emergency threatens the health or safety of employees if office operations continued during an emergency.

Environmental Emergency: Any situation in which employees' health or safety might be endangered if they remained at their workstations.

Evacuation: A fast, orderly vacating of a building by all occupants. Sounding of a building alarm is the signal for an evacuation to begin. Stairways are used instead of elevators in a multi-storied building.

Medical Emergency: The sudden onset of a serious illness or injury to someone in a building.

POLICY

Each MDES work location must have a written set of emergency procedures and evacuation plans, and employees must have knowledge of, and are trained in, the emergency procedures applicable to the office in which they work..

EMERGENCY CLOSING OF OFFICES

Managers may temporarily close their offices if the health and safety of their employees/clients are threatened because of potential emergency conditions, but they may not authorize emergency leave without DOER's approval.

DOER-DECLARED EMERGENCIES

DOER may initiate the closing of state offices by officially declaring an emergency. Severe weather is the most-common situation that DOER declares to be an emergency requiring state office closings.

During severe weather, the DOER commissioner maintains direct contact with the Departments of Public Safety (which monitors the weather bureau, highway patrol, road crew operations, transit operations, and other emergency indicators) and Transportation. If the DOER commissioner decides that weather conditions are hazardous enough to declare an emergency, affected offices must close and emergency leave is authorized for those employees.

For a DOER-declared weather emergency: DOER provides an announcement to WCCO (830-AM) and WMNN (1330-AM) radio stations; KSTP, WCCO, and KARE television stations; and the Associated Press newswire. MDES' Human Resources Office also provides information via the Internet MDES home page, e-mail, fax, or a phone information line (651/215-9020). Employees who have a hearing impairment should arrange a method by which their supervisors may notify them of emergency office closings (perhaps via a telecommunication device).

DOER monitors weather conditions throughout a poor-weather day and announces changes in the emergency designation if needed.

OTHER EMERGENCIES

This section covers situations that aren't DOER-declared emergencies, but may still cause a manager to close an office for health or safety reasons. While managers may close offices at their own discretion, only the DOER commissioner can approve payment of emergency leave.

MDES managers should follow these steps for closing their offices and requesting approval of emergency leave:

Determine whether to close the office due to emergency conditions; decision must be based on employee and client safety, not on whether emergency leave will be approved. (During severe weather conditions, be aware of local road conditions and be in contact with local law enforcement authorities regarding travel advisability before making a decision to close the office.) Contact Human Resources (651/296-3662) before closing the office to request emergency leave authorization.

Notify the appropriate branch supervisors/assistant commissioner of decision to close office. Notify all office employees that office is closing. Notify the local news media as appropriate. Close the office. Try to contact scheduled clients to inform them of office closings. (And later, don't unnecessarily penalize clients who miss appointments because of the emergency conditions.) Remain at the office until the last employee has left.

Human Resources will notify the DOER commissioner that an MDES office has closed because of an emergency, request emergency leave approval for employees affected by the office closing, and inform the affected managers and supervisors of DOER's decision.

EMERGENCY LEAVE LIMITATIONS

These limitations regarding emergency leave are from DOER Administrative Procedure 5.4, "Time Off in Emergencies":

1. Employees who reported to work at the start of their normal shift and were sent home shall not be paid for more than their regularly scheduled hours. Employees shall not be enriched through additional compensation, including compensatory time, or increased benefits as a result of an emergency situation.
2. Employees who were required by the appointing authority to remain at work should not be paid for more than their regularly scheduled hours or the actual number of hours worked including overtime.
3. Employees on any approved sick or prearranged vacation leave shall not have such leave restored to their balances.
4. Employees on any approved leave without pay shall not be paid for this emergency leave time.
5. Employees who called in, on the day of the emergency, for vacation time, compensatory time, or leave without pay will be credited with emergency leave from the point of the declaration of the emergency, as defined by the commissioner of DOER, to the end of the regular shift.
6. Time is to be reported as 'Other Paid Leave' on the MDES Daily Time Distribution Report and as 'Other Authorized Leave Taken' with a comment on the emergency in the remarks section on the Employee's Biweekly Time Report.
7. No employee will receive more than 16 hours of emergency pay during any emergency situation unless the commissioner of DOER authorizes a longer period."

CENTRAL OFFICE PLAN

The rest of this chapter covers the Central Office's plan for responding to emergencies that affect Central Office employees.

GENERAL RESPONSIBILITIES

There's a core group of Central Office employees with specialized knowledge and training in emergency control operations to help ensure the safety of personnel and the security of the

building. This group, known as Emergency Control, includes the facilities manager, Human Resources director, and the Capitol Security guard. During building evacuations, this group establishes a post in or near the Central Office lobby to direct activities. The commissioner's management team also reports to that post.

In addition to Emergency Control staff, there are employees ("floor captains") trained in MDES' emergency procedures who direct floor evacuations and help with other emergencies. A Capitol Security guard, stationed in the Central Office lobby, can assist in emergencies during the guard's work hours, 8 a.m. to 4 p.m. Capitol Security Headquarters will also respond to emergencies 24 hours per day.

Signage near the elevator on each floor displays the floor's evacuation map and the names and phone numbers of emergency-related employees.

During building evacuations, any decision to dismiss employees for the remainder of a day is made by (listed in descending order):

- MDES commissioner
- Deputy commissioner
- Any one of the assistant commissioners
- Director of Human Resources
- Director of Fiscal Management.

Employees

- Know and follow all emergency procedures. Know who the floor captains are, and follow their instructions. Know where the fire extinguishers are located and how to use them. Respond immediately to sirens or alarms.
- Attend all assigned training. NOTE: Employees trained in cardiopulmonary resuscitation (CPR) and other first-aid procedures should inform managers and others responsible for handling emergencies, as they may be asked to assist in emergency situations.
- Watch for dangerous situations and sound building alarm if needed. Immediately inform the facilities manager (6-3965) of any situation that is potentially dangerous, before the situation becomes an emergency.

Supervisors

- Know and follow all emergency procedures. Ensure that all employees follow emergency procedures. Inform new employees of emergency procedures.
- Notify facilities manager (6-3965) when a new employee with a hearing or mobility impairment is hired and if a current employee becomes hearing or mobility-impaired. Also inform the facilities manager of employees with temporary mobility impairments.

- Ensure that all employees are notified of a decision to dismiss after a building evacuation.
- Keep an up-to-date file of personal medical emergency information on employees (but maintain data confidentiality). Have the file readily available in the work area; it could save valuable time during a medical emergency. Include relative or friend's name and phone number; physician's name and phone number; health insurance carrier; and hospital preference.
- Follow-up on reports of hazardous conditions.

Floor Captains

- Determine if emergency warrants building evacuation. Sound building alarm if evacuation is necessary. Call 9-911 if necessary, and inform the Capitol Security guard (6-2100) that 911 was called.
- Go quickly to assigned station, if safe to do so, when alarm sounds.
 - Wear identifying red armband.
 - Give clear and firm instructions to all employees/clients.
 - Ensure safety of employees with hearing or mobility impairment.
 - Report to Emergency Control post when floor is cleared of people.
 - Follow instructions of facilities manager.
- Attend training and provide necessary training to employees. Assist with any other emergency as needed.

Facilities Manager

- Implement, and assist in maintaining and updating, emergency procedures. Review procedures at least two times each year with floor captains and Emergency Control staff; notify them immediately of changes. Update procedures as needed and notify all employees of those changes. Keep postings of emergency procedures up-to-date. Attend training.
- Train a back-up person. Appoint and train new floor captains and Emergency Control staff as vacancies occur. Inform floor captains of employees with hearing or mobility impairment. Establish individual plans, with back-up, for helping employees with hearing or mobility impairment leave the building during an evacuation.
- For this or any other emergency that requires evacuation:
 - Notify MDES commissioner of emergency; recommend action.
 - Give instructions to floor captains.
 - Supervise operation of Emergency Control post.
 - If building is closed during business hours because of an emergency, contact Capitol Security to activate the alarm system..

- Secure building.
- Conduct annual inspections to ensure protection equipment is operational.

PROCEDURES

Employees should follow these procedures for emergencies that occur during business hours. Employees who work during non-business hours should follow the "During Non-Business Hours" instructions.

(NOTE: fire drills are no longer recommended procedure because of potential injuries during drills).

Civil Defense Siren Sounds

Sounding of this siren means that a dangerous situation may exist outside the building, usually because of severe weather. (The siren can produce two different tones - one steady and one wavering. The wavering tone would only be used in case of enemy attack. In all other dangerous situations, the steady tone would be sounded.) NOTE: This siren is tested on the first Wednesday of every month. No employee response is required for these tests.

When the siren sounds, employees should leave their workstations, go to one of the hallways near the elevators, and await instructions from a floor captain who will assess the situation and/or receive instructions from the facilities manager, and give instructions to employees (which may be to relocate within the building).

During Non-Business Hours:

Leave workstation and go to a safe area (preferably in a hallway or bathroom) until the siren stops.

Building Alarm Sounds

Sounding of this alarm is always a signal to evacuate the building immediately because of some dangerous situation within. Employees shouldn't wait to learn the reason for the evacuation order; a fire or bomb threat is the usual cause. Employees must:

1. Leave their workstations immediately, closing all doors behind them (which helps contain the fire and reduce damage). Take coat, purse, or other personal belongings only if not delayed by doing so. Employees who are away from their workstations should follow the employees in the area.
2. Not use an elevator. Move as quickly as possible out the nearest building exit without pushing or crowding. See evacuation maps.

3. When outside, move to a safe distance from the building and from Robert Street. Go to the assigned area. Leave the main entrance and the plaza clear for emergency personnel and vehicles. Don't cross any streets or enter the skyway system. Await further instructions from supervisory personnel.

NOTE: Building evacuation isn't dismissal for the remainder of the day. Employees will be informed of any dismissal by a member of the management staff or by their supervisors. If dismissed for the day, employees won't be allowed to return to the building. Emergency Control staff will, if possible, turn off equipment and lock areas until the normal work schedule is resumed.

During Non-Business Hours:

Immediately leave through the front door in the main entrance. When outside, move to a safe distance from the building and from Robert Street. Await further instructions from emergency response personnel (Capitol Security, fire, or police department).

Power Outage

During a power outage, emergency lighting automatically activates in the stairways, hallways, and some work areas. Front doors also unlock automatically. Supervisors will provide instructions for employee action.

During Non-Business Hours:

Call Capitol Security (6-2100); follow dispatcher's instructions.

Employee Sees a Medical Emergency

Who	Step	What
Employee	1	Call 9-911. Describe the emergency. State the building name, address, and the floor where the person needs assistance. Let the 911-personnel end the conversation (don't hang up!) - they may have questions and/or special instructions.
	2	Call Capitol Security (6-2100), explain that 911 was called, and describe the emergency and exact location of the person needing assistance. Capitol Security will notify the security guard, who will notify the rest of the Emergency Control staff. If possible, notify supervisor or floor captain of the above actions.

Who	Step	What
Employee, Supervisor, or Floor Captain	3	Ask someone to meet emergency personnel at the elevator (of the floor on which the emergency exists) and to direct them to the ill or injured person. Stay with the ill or injured person until emergency personnel arrive.
Emergency Control Staff	4	Hold an elevator open, if needed, and wait at main entrance for emergency personnel. When emergency personnel arrive, accompany them to the floor where the person needs assistance.

During Non-Business Hours:

Call Capitol Security Headquarters (6-2100). Capitol Security will assess and help handle the situation, calling 9-911 if necessary.

Employee Detects a Fire

Fire extinguishers are in silver-colored wall compartments beside the drinking fountains next to each stairway entrance. There are two fire extinguishers in each compartment: a water extinguisher used for paper, trash, and wood fires; and a dry chemical extinguisher used for gasoline, oil, and electrical fires; and may also be used for paper, trash, and wood fires. Fire alarms are also alongside stairway entrances.

If the fire is small and contained (such as a fire in a wastebasket), use a fire extinguisher to put it out. Do this only if trained in proper use of an extinguisher.

If the fire is large or unconfined, pull one of the red fire alarms and call 9-911. If only smoke is detected, call the facilities manager (6-3965); Capitol Security (6-2100) is the backup.

During Non-Business Hours:

Handle fires the same as above. However, if smoke is detected, call 9-911 and have firemen meet employee at the main entrance.

If an Employee Receives a Bomb Threat ask the caller:

1. Where the bomb is placed,
2. The description of the bomb and the type of explosive,
3. When the bomb is expected to explode, and
4. Who the caller is and why the bomb was placed.

Call Capitol Security (6-2100) immediately and report all the information received about the threat. Capitol Security will inform the guard, who will notify the facilities manager, who will take whatever action is required (calling 9-911 and sounding the building alarm if necessary).

During Non-Business Hours:

Ask the caller questions 1 through 4 above. Call Capitol Security (6-2100); follow the dispatcher's instructions.

Employee is Stranded in an Elevator

All elevators are equipped with phones. Call one of the emergency numbers posted in the phone compartment of the elevator. The facilities manager will take whatever action is required and will keep passengers informed by phone on the progress of repairs.

During Non-Business Hours:

Call Capitol Security (6-2100); follow the dispatcher's instructions.

Other Emergency Situations

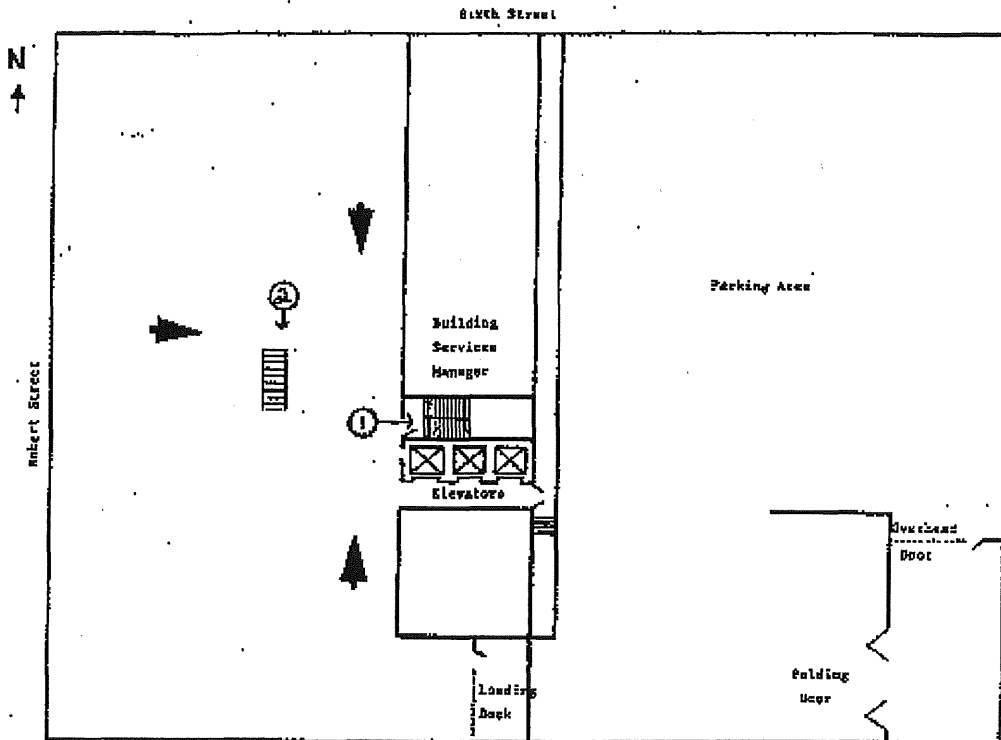
If employees notice other emergency situations (such as a suspicious-looking stranger prowling through an office), they should:

Call Capitol Security Headquarters at 6-2100. The dispatcher will contact the Central Office guard via radio (contact can be made during the guard's work hours even if the guard is away from the guard station) or send other security personnel. Use a phone that connects directly to Capitol Security Headquarters; employees need only pick-up the receiver and the dispatcher will answer. There's a red phone at the guard's station and another phone on one of the central pillars in the garage.

During situations that may not require immediate attention, employees should call 6-6741 (Capitol Security Headquarters' regular phone number) or call the guard's direct number, 6-8673.

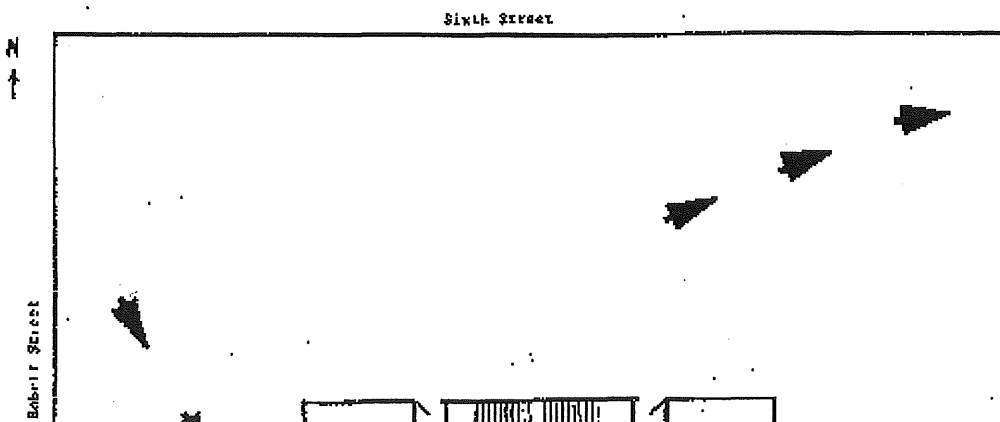
EVACUATION MAPS

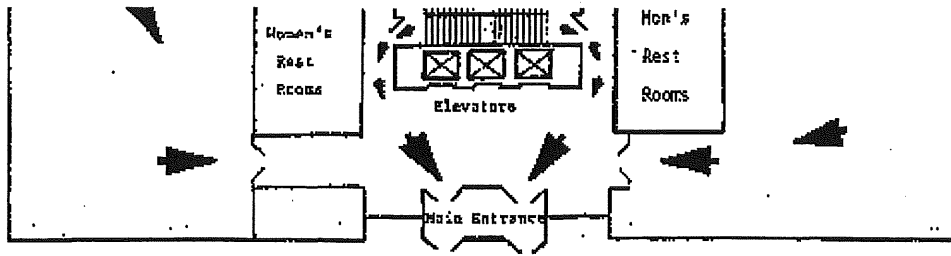
Lower Level



Employees may use either the regular stairway (1 on the map) or the emergency stairway (2). Go up the stairs to the 1st floor, move directly to the main entrance, and go out the front door.

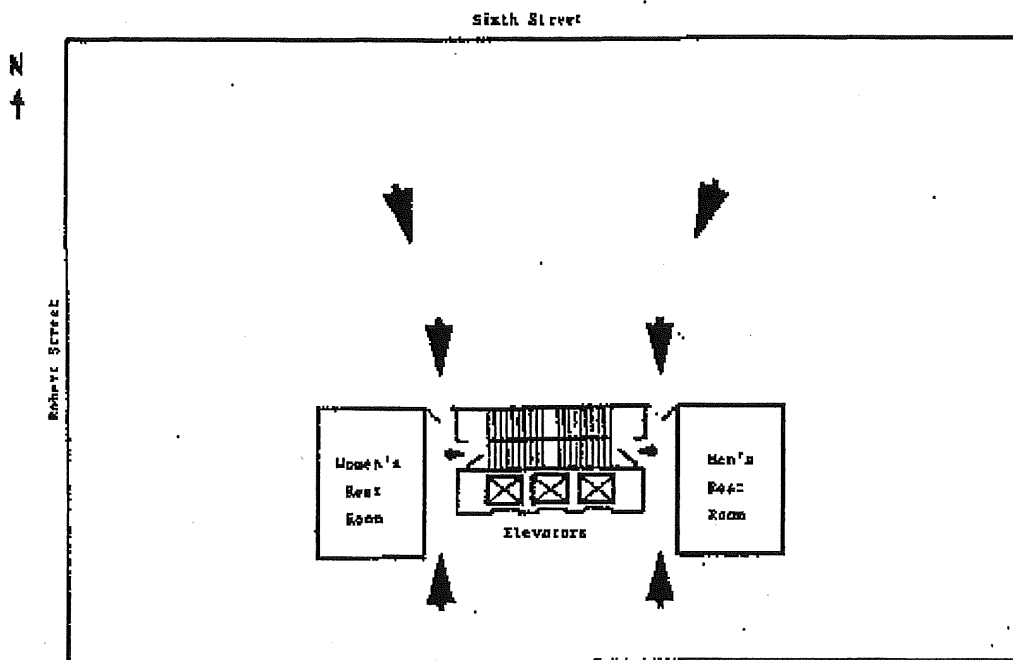
1st Floor





Employees near the small door on the east side of the building near Sixth Street should go out that door. All other employees on the 1st floor should move directly to the main entrance and go out the front door.

2nd, 3rd, 4th, and 5th Floors



Go out the nearest office doorway. Move directly to one of the two stairway entrances behind the elevators.

- Hold hand rail.
- Don't run.
- Exit building through main entrance on 1st floor.

5th Floor Employees: Use the right side of the stairway all the way to the 1st floor.

4th and 3rd Floor Employees: Begin descending on the left side of the stairway. Gradually merge into the line of employees descending on the right side of the stairway. Stay on the right side all the way to the 1st floor.

2nd Floor Employees: Use the left side of the stairway all the way to the 1st floor.

Issue Date: 12/99

X. REASONABLE ACCOMMODATION

MDES REASONABLE ACCOMMODATION POLICY

#216

Table of Contents

- Introduction
- Definitions
- Policy

Procedures

- Requesting Reasonable Accommodations
- Appealing Denials

Contact Person:

Kathy Mullarky
ADA Coordinator
651/297-3410 (Voice)
651/282-5174 (TTY)

INTRODUCTION

Section 504 of the Federal Rehabilitation Act of 1973, as amended; the Americans with Disabilities Act; and the Minnesota Human Rights Act require state agencies to reasonably accommodate people with disabilities.

The Minnesota Department of Economic Security (MDES) is committed to the fair and equal employment of people with disabilities. Reasonable accommodation is the key to this non-discrimination policy. While many individuals with disabilities can work without accommodations, other qualified applicants and employees face barriers to employment without the accommodation process.

MDES' reasonable accommodation policy covers all qualified employees and program participants with disabilities, as well as qualified persons applying for work with MDES. However, the procedures in this chapter apply only to qualified MDES employees and applicants for MDES employment; MDES program manuals provide specific procedures for program participants.

DEFINITIONS

Disability: For the purposes of determining eligibility for a reasonable accommodation, a person with a disability is one who has a physical or mental impairment that materially or substantially limits one or more major life activity.

Essential Functions: Tasks that are basic, necessary, or fundamental to accomplish the duties of the job. They may vary with individual job descriptions and include physical, mental, and interpersonal activities necessary to effectively achieve anticipated job performance.

Qualified Person with a Disability: A person with a disability who meets the necessary prerequisites for the job and who can perform the essential functions of the job, with or without reasonable accommodation.

Reasonable Accommodation: Any modification or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to enjoy equal opportunity employment. Examples of accommodations may include:

- A. Job restructuring, such as modifying work hours and/or changing job duties while retaining the basic job functions.
- B. Job site modification, such as adjusting equipment height; rearranging furniture and equipment; widening doorways; providing parking facilities; and modifying ventilation, heating, cooling, and lighting systems.
- C. Additional equipment purchase or modification, such as "talking" calculators; one-handed typewriters; adjustable desks and files; TTY communication equipment; earphones; and audiovisual aids.
- D. Support services, such as interpreters and readers.
- E. Transfer to a vacant position.

Reasonable accommodation applies to three aspects of employment:

- 1. To assure equal opportunity in the employment process;
- 2. To enable a qualified individual with a disability to perform the essential functions of a job; and
- 3. To enable an employee with a disability to enjoy equal benefits and privileges of employment.

POLICY

MDES will reasonably accommodate qualified individuals with physical or mental disabilities unless to do so would impose a documented undue hardship.

PROCEDURES

NOTE: All tangible accommodations purchased by MDES are the property of the State of Minnesota. MDES will be responsible for maintenance of any equipment.

REQUESTING REASONABLE ACCOMMODATIONS

Qualified employees with disabilities should follow this procedure when requesting reasonable accommodation. Qualified applicants for MDES employment must be advised of the availability

of reasonable accommodation when contacted about a job opening; they should be assisted in processing a request.

This is an interactive process and requires input from both the individual with a disability and the supervisor. It's ongoing and requires periodic reviews to determine the effectiveness of the accommodations implemented.

The Americans with Disabilities Act (ADA) coordinator can provide technical assistance throughout the process.

Who	Step	What
Requestor	1	Discuss with the supervisor the need for reasonable accommodation. Complete a Request for Reasonable Accommodation form and give it to the supervisor.

NOTE: The entire request process may be handled with the assistance of the ADA Coordinator if the requestor so desires.

Supervisor	2	Review with the requestor his/her current, accurate position description. Discuss the purpose and essential functions of the particular job involved.
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Supervisor and Requestor	3	Determine the precise job-related limitation.
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Requestor	4	If requested, provide medical documentation of the functional limitation(s) to support the request: complete a Reasonable Accommodation Medical Release form and give it to the supervisor.
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NOTE: Any medical documentation must be collected and maintained on separate forms and in separate files. Medical information is available only on a "need to know" basis.

Supervisor and Requestor	5	Identify potential accommodations and assess the effectiveness each would have in allowing the requestor to perform the essential functions of the job.
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Supervisor	6	Select and implement the accommodation that's effective and appropriate for both the requestor and the employer. Contact the ADA coordinator for technical assistance, as needed.
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NOTE: While a requestor's preference will be given consideration, MDES is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.

Who	Step	What
Supervisor	7	Send a copy of the approved request to the ADA coordinator (who maintains a record for reporting purposes).

NOTE: The rest of this procedure covers steps taken if the supervisor can't decide whether to approve a request.

Supervisor	8	If unable to make a definitive decision, for whatever reason, send the request form(s), along with a recommendation, to the manager within five workdays following the determination.
Manager	9	If unable to make a definitive decision, for whatever reason, send the request form(s), along with a recommendation, to the ADA coordinator within five workdays from the date the request was received from the supervisor.
ADA Coordinator	10	If unable to make a definitive decision, send a written request, along with a recommendation, to the commissioner within ten workdays from the date the request was received from the manager. The commissioner will provide a written decision to the ADA coordinator and requestor within ten workdays.
ADA Coordinator and Requestor	11	If an accommodation can't overcome the existing barriers or if the accommodation would cause an undue hardship on the operation of the agency, work together to determine whether reassignment may be an appropriate accommodation.

NOTE: MDES will look at transfer opportunities, mobility opportunities, appointment opportunities, and noncompetitive and competitive opportunities (Minn. Stat. § 43A).

NOTE: MDES isn't required to create a new job or to bump another employee from a job in order to provide a reassignment as a reasonable accommodation.

APPEALING DENIALS

Supervisors who deny a request for reasonable accommodation must:

- A. Complete the "Supervisor" section of the Request for Reasonable Accommodation form; and
- B. Send the form and the other request materials to the ADA coordinator and the branch assistant commissioner. If the assistant commissioner disagrees with the supervisor's decision, s/he implements the accommodation and informs the ADA coordinator via the request form. If the assistant commissioner agrees with the supervisor's decision, s/he sends the request to the ADA coordinator to resolve, if possible.

Qualified persons with disabilities who are denied reasonable accommodation may appeal the decision by filing a written complaint with the MDES ADA coordinator. The MDES commissioner will make a final agency decision on all complaints not resolved at the office level. Further appeals are processed through other governmental agencies such as Human Rights and the Equal Employment Opportunity Commission.

For more information on the appeal process and for answers to any questions about reasonable accommodation, call the ADA coordinator (see below).

The MDES ADA coordinator is:

Kathy Mullarky
MDES Office Of Diversity & Equal Opportunity
390 N. Robert St.
St. Paul, MN 55101
651/297-3410 (voice)
651/282-5174 (TTY)
651/296-8763 (fax)

Accommodation for Employees Seeking Promotion

The supervisor, Human Resource Office, or the hiring authority will make a decision regarding the request for accommodation to employees with a disability seeking a promotion and, if approved, take the necessary steps to see that the accommodation is provided.

Provisions for Funding Reasonable Accommodations

Employees are not responsible for paying reasonable accommodations. Accommodations are usually funded by the employees cost center. If the cost center cannot sufficiently fund the accommodation, the program budget will usually bear the cost. If the program budget cannot adequately fund the accommodation, funding will come from the general administrative budget.

Issue Date: 07/97

REASONABLE ACCOMMODATION MEDICAL RELEASE

Minnesota Department of Economic Security
390 No. Robert St.
St. Paul, MN 55101

I, _____, give my permission to my
medical provider:

NAME _____

ADDRESS _____

PHONE NUMBER _____ FAX NUMBER _____

to discuss/disclose medical information about me, to the Minnesota Department of Economic
Security representative listed below:

Americans with Disabilities Act Coordinator _____; or

Affirmative Action Officer _____; or

My Supervisor _____

The purpose of this disclosure is to provide the Minnesota Department of Economic Security with
sufficient information to determine the need for a reasonable accommodation. I understand that
the information disclosed will be used only for this purpose and will be kept confidential.

The extent or specific nature of the information to be disclosed is:

This release will expire on _____, or upon receipt by the Minnesota Department of
Economic Security of my written notice to withdraw my consent.

Signature: _____ Date: _____

REASONABLE ACCOMMODATION MEDICAL RELEASE

.062

REASONABLE ACCOMMODATION MEDICAL RELEASE

Minnesota Department of Economic Security
390 No. Robert St.
St. Paul, MN 55101

I, _____, give my permission to my
medical provider:

NAME _____

ADDRESS _____

PHONE NUMBER _____ FAX NUMBER _____

to discuss/disclose medical information about me, to the Minnesota Department of Economic
Security representative listed below:

Americans with Disabilities Act Coordinator _____; or

Affirmative Action Officer _____; or

My Supervisor _____

The purpose of this disclosure is to provide the Minnesota Department of Economic Security with
sufficient information to determine the need for a reasonable accommodation. I understand that
the information disclosed will be used only for this purpose and will be kept confidential.

The extent or specific nature of the information to be disclosed is:

This release will expire on _____, or upon receipt by the Minnesota Department of
Economic Security of my written notice to withdraw my consent.

Signature: _____ Date: _____

XI. RECRUITMENT PLAN

Recruitment Plan

Objectives

To build and retain a culturally diverse workforce through the recruitment of qualified protected group individuals.

Policy

It is a policy of the Minnesota Department of Economic Security to seek qualified applicants who are ethnic/racial minorities, women, or persons with disabilities.

Responsibility

It is the responsibility of all hiring authority's Managers, the Human Resources Department and the Office of Diversity and Equal Opportunity to recruit qualified protected group individuals.

Recruitment Plan Goals

- to increase the applicant pool of qualified individuals for employment with the Department;
- to have a diverse workforce that is reflective of Minnesota.
- to retain protected group employees contributing to the work of the Department;
- to make the hiring process easier;
- to reach out to protected group communities;
- to develop an informed outreach team;
- to foster enthusiasm for increasing diversity by demonstrating our own concern and commitment.

Implementation

- MDES will send position announcements for public application to minority, female, and disability resources and provide relevant information to those agencies. MDES will continue to cultivate partnerships with these agencies.
- The Department's Equal Opportunity Officer, the Human Resources Division will participate in programs which target jobs for minorities, females and persons with disabilities.
- MDES participates in over 100 job fairs and employer seminars a year.
- MDES will continue to post public job opening announcements in various publications with the statement that we are an equal opportunity employer.

- MDES will continue to participate in the 700 hour program, which provides eligible state applicants the opportunity to demonstrate their skills and abilities by working on the job for up to 700 hours.
- MDES will continue to participate in the Supported Employment Worker program. The kind of work is primarily clerical and service related. Under immediate supervision, employees in this class perform routine and/or repetitive clerical, custodial, food service and manual labor tasks as part of the Supported Work Program for persons with severe physical, mental health and/or developmental disabilities; perform other work as required. The Supported Employment Worker requires the continued support of a job coach. MDES usually has between two and six supported worker positions. Examples of work include photocopying, filing and mailings. The majority of the Department's supported workers are referred by their Vocational Rehabilitation Counselors.

Summary of 1999

In 1999 all 53 MDES WorkForce Centers in Minnesota either participated in, or sponsored a minimum of two job fairs and employer seminars. Employer seminars offer relevant and beneficial information to employers, including hiring and recruiting issues. All job fairs, seminars, meetings or any other kind of events are located at a site that is accessible to persons with disabilities. Not only is the sight accessible, but all printed materials and displays are accessible. The direct results of these fairs and seminars are unavailable. Moreover, the cost involved ranges from free donated space to potentially \$3000.00 at a twin cities job fair. Since job fair costs are not centrally tracked, the total amount spent is unknown. However, MDES has a large booth and display at the Minnesota State Fair at a cost of approximately \$12,000. The primary focus of the booth is to inform fair-goers of MDES services. However, this year we added expertise from employees of the State Services for the Blind (SSB), which is comprised within MDES. The experts from SSB provided seminars on computers with assistive technology, Braille and numerous other topics concerning persons with visual impairments.

Also, during 1999, job opening announcements were placed in various publications, including the *Minneapolis Star and Tribune*, the *St. Paul Pioneer Press*, the *Minnesota Daily* and the DOER bulletin. Further, MDES co-sponsored and was the primary coordinator for the KARE 11 on-air job fair. In addition to these mediums, MDES divisions may post vacancies with private colleges, state universities, community colleges, technical colleges, other state agencies, and our own MDES WorkForce Centers. The estimated amount spent on all advertisements is \$2500.00. Most positions filled by advertisements are Researchers and Vocational Rehabilitation Counselors. However, in late summer 1999, MDES had the rare opportunity to hire several Economic Security Representatives at one time. An Economic Security Representative provides WorkForce Center services to job seekers, claimants and employers through job placement, reemployment claims adjudications, case management, employer services, job profiling, workshops, and by matching qualified applicants with jobs. Applications were encouraged from non-state employees. The ODEO heavily recruited persons from diverse backgrounds, by

forwarding the position announcement to all state councils, and posting the position announcements at community centers, grocery stores and other "common meeting areas" in diverse communities. MDES hired nine new ES Representatives in a two week period at our Roseville and St. Cloud locations. Of those nine, two were persons of color and six were female.

During the past year the MDES Communications Department developed the "*Marketing Style Guide*." The guide was designed to market MDES WorkForce Centers. One of the main focuses of the guide is to address our WorkForce Centers services and products and their compliance with the Americans with Disabilities Act (ADA). The guide outlines that all of the services offered at MDES WorkForce Centers are equitable and flexible in use in order to accommodate a wide range of physical, perceptual, communication and cognitive abilities. These ADA accommodations when applied are equally effective for individuals who use English as a second language and those with diverse backgrounds.

2000 Plans

In December 1999, MDES implemented a temporary hiring freeze in response to layoffs of MDES employees. This development significantly hampered recruiting efforts. MDES will be slowly hiring new employees, however, our projected 2000 hires will be significantly lower than in previous years. A large number of these positions will be temporary in nature. Many of the permanent positions will be filled by transfer, demotion, promotion, or claiming by employees who are already within the state system or on permanent layoff status.

The department is exploring recruiting in publications geared toward persons with disabilities, working with the Council on Disabilities for recruiting for specific positions and will be looking into other means to reach persons with disabilities with the objective of coming closer to reaching our goals for the hiring of persons with disabilities. The department will continue its efforts to strengthen its recruitment programs by contacting other state agencies regarding successful recruiting efforts, and implementing those that would be beneficial to our agency.

The Department of Economic Security will participate in approximately the same amount of Job fairs, employee seminars and recruiting events in 2000. We will continue to have a strong presence at the State Fair. The ODEO will continue to recruit persons from diverse backgrounds, when public job announcements for several positions are announced. The Department will focus on generating interest for many entry-level positions within MDES. Some job fairs will target protected group members and also be used to promote the Department as a whole.

Internship Program

Objectives To provide paraprofessional work opportunities and practical learning experiences for selected students to enhance their academic preparation and expose them to state government employment. Internship positions can provide an excellent means for initiating and implementing Department of Economic Security Affirmative Action efforts.

Policy

An internship is a paraprofessional work experience (paid or unpaid) that is directly related to a specific academic program; only students who are currently pursuing a degree directly related to the internship duties may be selected. To qualify as an internship, the work experience must result in academic credit or fulfill an academic requirement of an accredited educational institution. Normally an internship lasts one quarter or semester; occasionally, however, there are special circumstances in which an internship would be less than or greater than one quarter or semester. Appointments may be part time or full time as appropriate to meet the academic requirements of the internship, with the supervisor responsible for any intern evaluation requirements. Internship positions are not intended to replace or be considered equivalent to the full scope of a permanent state position. Completion of an internship with the Department of Economic Security does not imply any future employment commitment.

MDES primarily solicits interns who are presently studying to be Rehabilitation Counselors. The University of Minnesota (Mankato), St. Cloud State and the University of Wisconsin Stout offer graduate programs in Rehabilitation Counseling for persons with disabilities. MDES targets these schools and promotes careers as Rehabilitation Counselors with MDES. These schools also refer students to MDES to complete Internships in Rehabilitation Counseling.

Compensation and Benefits

Internships may be paid or unpaid. When payment is involved the rate of pay shall be within minimum wage and MAPE Salary Range 1, step 1. The supervisor determines the salary within this range.

An intern is not a state employee and, therefore, is not eligible for state benefits (i.e. insurance, annual leave, sick leave, or holiday pay).

Recruitment and Selection

The recruitment and selection of interns is the responsibility of the supervisor. Supervisors are reminded to recruit and place protected class students in their internship positions.

XII. RETENTION PLAN

Retention Plan

Objectives

To build and retain a culturally diverse workforce through the retention of qualified protected group individuals. Identify and facilitate staff knowledge and appreciation of diversity to better serve all employees. Thus creating and maintaining a respectful working environment and enhancing the careers of MDES employees.

Policy

The Minnesota Department of Economic Security is committed to the recruitment, selection and retention of workers that reflect the workforce population of Minnesota.

Responsibility

It is the responsibility of all hiring authorities, managers, the human resources department and the Office of Diversity and Equal Opportunity to retain qualified protected group individuals. The department designee for retention activities is Human Resources Director, Vonnie Mulcahy.

Retention Plan Goals

- ▶ The Department's training staff will continue to provide employee development classes.
- ▶ The ODEO provides ADA Training to all managers, staff and partner agencies.
- ▶ The ODEO provides Preventing Sexual Harassment training to all managers, employees and partner agencies.
- ▶ The ODEO provides mediation services to resolve conflicts.
- ▶ The ODEO and Department training staff are exploring the possibility of Diversity Awareness and Discrimination training for all staff.
- ▶ MDES conducts exit interviews with all employees who separate from the department. This is done to collect useful information with regard to their employment and possibly identify concerns regarding their tenure.
- ▶ MDES encourages skill training in job related fields to enhance the chances for promotion.
- ▶ Human Resources develops a six-month orientation for new employees. This plan is provided to the new employees supervisor.

- ▶ The ODEO periodically analyzes promotion patterns to identify disparities between protected group members and non-protected group members.
- ▶ MDES will monitor and analyze separation and layoff patterns of all employees to determine the impact on protected group members.
- ▶ Explore the development of a yearly "turnover report" to be provided to management and supervisors. The report would indicate how successful our selection and retention methods have been.

Layoff/Position Elimination Analysis

In December 1999, MDES eliminated positions in both the Metro and Outstate regions of Minnesota. The eliminations occurred in the WorkForce Exchange Branch, Business Information Branch and Support Branch. The primary reason for these eliminations was due to stagnant funding from the Federal government.

The first two sections breakdown the separations of all three branches by gender, minority status and disability. The breakdown also separates between instate and outstate employees as well as by bargaining unit.

The third section analyzes the current employment status of women, persons with disabilities, and members of a minority group who appeared on the original layoff list. Other MDES employees were removed from the original layoff list and were consequently not affected by the layoffs. The majority of these individuals found comparable positions within MDES and other state agencies. Overall our affirmative action goal units were not significantly impacted by the layoffs.

MDES WorkForce Exchange Branch

**MDES WorkForce Exchange Branch
Total Position Eliminations by Bargaining Unit & Protected Class Status
December 1999**

Total Position Eliminations:	85		
Males	38 (44.7%)		
Females	47 (55.3%)	Female/Minority	5
Minorities	10 (11.8%)	Female/Disability	7
Persons with Disabilities	18 (21.0%)	Female/Minority/Disability	1

BY BARGAINING UNIT

Total MAPE (214) Position Eliminations	41		
Males	23 (56%)		
Females	18 (43.9%)	Female/Minority	2
Minorities	5 (12.2%)	Female/Disability	2
Persons with Disabilities	9 (22.0%)	Female/Minority/Disability	1

Total AFSCME (206) Position Eliminations	27		
Males	3 (11%)		
Females	24 (89.%)	Female/Minority	3
Minorities	4 (14.8%)	Female/Disability	5
Persons with Disabilities	5 (18.5%)	Female/Minority/Disability	0

Total MMA (216) Position Eliminations	11		
Males	7 (63.6%)		
Females	4 (36.3%)	Female/Minority	0
Minorities	1 (1%)	Female/Disability	1
Persons with Disabilities	1 (1%)	Female/Minority/Disability	0

Total Commissioners Plan Position Eliminations	5		
Males	1 (20%)		
Females	4 (80%)	Female/Minority	0
Minorities	0	Female/Disability	1
Persons with Disabilities	2 (40%)	Female/Minority/Disability	0

Total Technical (217) Position Elimination	1		
Males	1		
Females	0	Female/Minority	0
Minorities	0	Female/Disability	0
Persons with Disabilities	1	Female/Minority/Disability	0

**WorkForce Exchange Branch
Total Position Eliminations by Bargaining Unit & Protected Class Status & A Comparison
to the Total Number of Employees in that Branch
December 1999**

Position Eliminations	85	WEB Branch Positions	872
Males	38	Males	360
Females	47	Females	512
Minorities	10	Minorities	77
Persons with Disabilities	18	Persons with Disabilities	90

Overall 59% of the WEB branch is **female**, making the other 41% male. Male and female positions were eliminated at a rate consistent with their employment numbers - males 44.8% and females 55.3%.

Overall 8.8 % of the WEB branch identifies as a member in a **minority group**, while 91.7% identify as white. Positions held by minority groups were eliminated at a rate of 11.8%. Positions held by white individuals were eliminated at a rate of 88.2%. Both are consistent with their employment numbers.

Overall 10.3% of the WEB branch employees identify as having a **disability**, while 90% do not. However, disability positions were eliminated at twice the rate of their employment numbers (21.1%). This is a disheartening rate, however, overall our goal units for persons with disabilities were not seriously affected.

BY BARGAINING UNIT

MAPE (214)

MAPE Position Eliminations	41	MAPE Positions	523
Males	23	Males	272
Females	18	Females	251
Minorities	5	Minorities	53
Persons with Disabilities	9	Persons with Disabilities	60

48% of the MAPE positions are held by **females**, making the other 52% male. Male and female positions were eliminated at a rate consistent with their employment numbers - males 56% and females 44%.

10% of the MAPE positions are held by employees who are a member of a **minority group**, while 90% are not. MAPE positions held by minority groups were eliminated at a rate of 12%. MAPE positions held by white individuals were eliminated at a rate of 88%. Both are consistent with their employment numbers.

11.5% of the MAPE positions are held by employees who identify as having a **disability**. Disability positions were eliminated at twice the rate of their employment numbers (21.2%). This statistic mirrors the overall rate, however, our overall goal units were not significantly affected.

AFSCME

AFSCME Position Eliminations	27	AFSCME Positions	237
Males	3	Males	18
Females	24	Females	219
Minorities	4	Minorities	21
Persons with Disabilities	5	Persons with Disabilities	19

92% of the AFSCME positions are held by **females**, making the other 8% male. Male and female positions were eliminated at a rate consistent with their employment numbers - males 11% and females 88%.

8.9% of the AFSCME positions are held by a member of a **minority group**, while 91% are not. AFSCME positions held by minority groups were eliminated at a rate of 14 %. AFSCME positions held by white individuals were eliminated at a rate of 86.%. AFSCME positions held by minority groups were eliminated at a slightly higher rate than their employment numbers. This minimal statistical disparity did not significantly impact our Affirmative Action goals.

8% of the AFSCME positions are held by employees who identify as having a **disability**. Disability positions were eliminated at a rate of 18.5%, which is over double their employment numbers. This statistic mirrors the overall and MAPE rate, however, our overall goal units were not significantly affected.

MMA (216)

MMA Position Eliminations	11	MMA Positions	78
Males	7	Males	47
Females	4	Females	31
Minorities	1	Minorities	1
Persons with Disabilities	1	Persons with Disabilities	9

40% of the MMA positions are held by **females**, making the other 60% male. Male and female positions were eliminated at a rate consistent with their employment numbers - males 64% and females 56%.

1 person in MMA is a member of a **minority group**, while the other 77 people are not. This individuals position was eliminated.

11.5% of the MMA positions are held by employees who identify as having a **disability**. Disability positions were eliminated at a rate of 9%, which is 2.5% lower than their employment numbers.

Commissioners Plan

Position Eliminations	5	Positions	34
Males	1	Males	23
Females	4	Females	11
Minorities	0	Minorities	2
Persons with Disabilities	2	Persons with Disabilities	2

32% of the Commissioner Plan positions are held by **females**, making the other 68% male. Female positions were eliminated at a rate of 80%, which is more than double their employment numbers. However, females in this goal unit remain well above their goal at 130%.

No positions held by minority groups in the Commissioners Plan were eliminated.

2 persons under the Commissioner Plan identify as having a **disability**. Both positions were eliminated. This had a detrimental impact on our Affirmative Action goals.

Technical (217)

Position Elimination	1	Positions	1
Males	1	Males	1
Females	0	Females	0
Minorities	0	Minorities	0
Persons with Disabilities	1	Persons with Disabilities	1

Bargaining unit 217 only has one position in WEB. That position was eliminated. The individual identifies as having a **disability**.

MDES Business Information Branch & Support Branch

**MDES Business Information Branch & Support Branch
Total Position Eliminations by Bargaining Unit & Protected Class Status
December 1999**

Total Position Eliminations:	21
Males	7
Females	14
Minorities	0
Persons with Disabilities	0

BY BARGAINING UNIT

Total MAPE (214) Position Eliminations	7
Males	4
Females	3
Minorities	0
Persons with Disabilities	0

Total AFSCME (206) Position Eliminations	10
Males	1
Females	9
Minorities	0
Persons with Disabilities	0

Total MMA (216) Position Eliminations	2
Males	1
Females	1
Minorities	0
Persons with Disabilities	0

Total Management (220) Eliminations	2
Males	1
Females	1
Minorities	0
Persons with Disabilities	0

No employees in a minority group or employees who identified as having a disability were affected by the position eliminations in the Business Information and the Support Branch. Overall males and females were affected at an equal rate except in AFSCME 206. Females in AFSCME 206 represent 93% of the members in that bargaining unit. Therefore, female positions were eliminated at a rate consistent with their employment numbers.

**Employment Status of Women, Persons with Disabilities and
Members of a Minority Group, who Were on the Original Layoff
List**

**First Round Layoffs Regarding MDES Employees With Disabilities & Minority Status
Employment Status as of February 4, 2000**

Persons who identify as having a disability on original layoff list	17
Persons who identify in a minority group on original layoff list	10
Total Number of Persons on List	26*

* One individual identified in both protected classes.

Breakdown

Permanent Layoff.	9
Transfer or reassignment within DES at same salary & title.	6
Transfer or reassignment within DES at same salary & different title.	2
Demote within MDES, but receive a pay increase.	1
Demote to another agency.	1
Transfer to another agency at same salary and title.	5
Transfer to another agency at higher salary.	1
Deceased.	1

Overall these numbers are very encouraging. Of the 26 persons on the original layoff list who identify as a person with a disability or a member of a minority group, 14 remained employed in state service and at the same salary. One individual received a higher salary by transferring. Only one individual demoted to a lower salary. One individual passed away. The remaining nine individuals are presently on permanent layoff, meaning they have not been recalled to MDES nor are they working at another state agency. MDES does not keep records of their employment status in the public sector or non-state government service.

15 of the 26 individuals on this list remained employed at the same or higher salary in state government. 7 of our 11 minority goal units remain fulfilled. The layoffs did not cause any of these goal units to become underutilized. Most of the disability goal units remain underutilized. The layoffs did not cause any disability goal unit to become underutilized. Overall, our affirmative action goals as they pertain to persons with disabilities and members of a minority group were not significantly affected by the layoffs.

**First Round Layoffs
Women MDES Employees
Employment Status as of February 4, 2000**

Total MDES Women employees on original layoff list	62
Total MDES Women employees removed from original layoff list	5
Total MDES Women employees affected on the original layoff list	57

Breakdown

Permanent Layoff.	12
Transfer or reassignment within MDES at same salary & title.	16
Transfer or reassignment within MDES at same salary & different title.	3
Demote within MDES	5
Demote to another agency.	1
Transfer to another agency at same salary and title.	16
Transfer to another agency at same salary and different title.	4

Of the 57 women employees affected by the original layoffs, 39 remained employed in state service and at the same salary (68%). Only 5 individuals demoted to a lower salary (9%). One individual demoted in title only. The remaining 12 individuals (21%), are presently on permanent layoff, meaning they have not been recalled to MDES nor are they working at another state agency. MDES does not keep records of their employment status in the public sector or non-state government service.

These are very encouraging numbers with an "remained employed" to "permanent layoff" ratio of over 3 to 1.

Overall 7 of our 11 female goal units remain fulfilled. The layoffs did not cause any of these goal units to become underutilized. The layoffs did not cause any female goal unit to become underutilized. Overall, our affirmative action goals as they pertain to women were not significantly affected by the layoffs.

**Separation Analysis of All MDES Employees from January 1, 1998
Through January 1, 2000**

**Analysis of Separation & Layoff Patterns of All MDES Employees from January 1, 1998 through
January 1, 2000**

The following data contains all MDES employees who have separated from employment over the last 2 years. The data is broken down by protected class characteristic, bargaining unit, outstate/metro areas and the reason for separation.

**Metro Area (052) By Gender
Total Number of Metro Area Separations 365**

		206 - Clerical	106
214 - MN Assoc of Professional Empl	196	Female	93
Female	112	Cancel/Failure to Rtrn Leave	2
Cancel/Failure to Rtrn Leave	2	Death	5
Death	1	Dismissal	1
Layoff	7	Layoff	6
Layoff-Other	15	Layoff-Other	7
Non-Certification	1	Resignation	13
Resignation	24	Retirement	10
Retirement	16	Separation	12
Separation	22	Term Without Rights	37
Term Without Rights	24	Male	13
Male	84	Layoff-Other	1
Cancel/Failure to Rtrn Leave	5	Resignation	2
Death	5	Retirement	1
Dismissal	1	Separation	2
Failure to Return from Layoff	4	Term Without Rights	7
Layoff	4		
Layoff-Other	11	207 - Technical	2
Non-Certification	1	Male	2
Resignation	13	Cancel/Failure to Rtrn Leave	1
Retirement	5	Layoff	1
Separation	18		
Term Without Rights	17	OTH - Unrepresented	30
216 - Middle Management Association	23	Female	20
Female	8	Cancel/Failure to Rtrn Leave	1
Layoff	2	Layoff	2
Layoff-Other	2	Resignation	1
Retirement	1	Separation	1
Separation	3	Term Without Rights	15
Male	15	Male	10
Layoff	6	Death	1
Layoff-Other	3	Resignation	1
Retirement	4	Term Without Rights	8
Separation	2		
MGR - Unrepresented	8	203 - Service	2
Female	3	Female	2
Layoff	1	Resignation	2
Resignation	1		
Term Without Rights	1		
Male	5		
Layoff	1		
Layoff-Other	1		
Retirement	1		
Separation	2		

**Analysis of Separation & Layoff Patterns of All MDES Employees from January 1, 1998 through
January 1, 2000**

The following data contains all MDES employees who have separated from employment over the last 2 years. The data is broken down by protected class characteristic, bargaining unit, outstate/metro areas and the reason for separation.

**Metro Area (052) By Race and Disability
Total Number of Metro Area Separations 365**

214 - MN Assoc of Professional Empl	199	206 - Clerical	107
African American	15	African American	6
Not Disabled	15	Disabled	1
Layoff	1	Separation	1
Non-Certification	1	Not Disabled	5
Resignation	2	Dismissal	1
Retirement	1	Resignation	1
Separation	1	Separation	1
Term Without Rights	9	Term Without Rights	2
Asian/Pacific Islander	7	American Indian/Alaska Nat	3
Not Disabled	7	Not Disabled	3
Layoff	1	Separation	1
Resignation	3	Term Without Rights	2
Term Without Rights	3	Asian/Pacific Islander	2
Hispanic	3	Not Disabled	2
Disabled	1	Term Without Rights	2
Term Without Rights	1	Hispanic	3
Not Disabled	2	Not Disabled	3
Retirement	1	Layoff-Other	1
Term Without Rights	1	Term Without Rights	2
Not Indicated	1	Not Indicated	2
Not Disabled	1	Not Disabled	2
Term Without Rights	1	Term Without Rights	2
White	170	White	90
Disabled	17	Disabled	9
Cancel/Failure to Rtrn Leave	4	Cancel/Failure to Rtrn Leave	1
Death	1	Death	2
Failure to Return from Layoff	2	Layoff-Other	1
Layoff	1	Resignation	2
Layoff-Other	1	Retirement	1
Non-Certification	1	Separation	1
Resignation	2	Term Without Rights	1
Retirement	1	Not Disabled	81
Term Without Rights	4	Cancel/Failure to Rtrn Leave	1
Not Disabled	153	Death	3
Cancel/Failure to Rtrn Leave	3	Layoff	6
Death	5	Layoff-Other	6
Dismissal	1	Resignation	12
Failure to Return from Layoff	2	Retirement	10
Layoff	8	Separation	10
Layoff-Other	25	Term Without Rights	33
Resignation	30		
Retirement	18		
Separation	39		
Term Without Rights	22		

**Analysis of Separation & Layoff Patterns of All MDES Employees from January 1, 1998 through
January 1, 2000**

The following data contains all MDES employees who have separated from employment over the last 2 years. The data is broken down by protected class characteristic, bargaining unit, outstate/metro areas and the reason for separation.

**Metro Area (052) By Race and Disability
Total Number of Metro Area Separations 365**

216 - Middle Management Association		23	OTH - Unrepresented		30
African American	<u>1</u>		Hispanic	<u>2</u>	
Not Disabled	1		Not Disabled	2	
Layoff	1		Term Without Rights	2	
White	<u>22</u>		White	<u>28</u>	
Disabled	1		Disabled	5	
Retirement	1		Cancel/Failure to Rtrn Leave	1	
Not Disabled	21		Death	1	
Layoff	7		Layoff	1	
Layoff-Other	5		Term Without Rights	2	
Retirement	4		Not Disabled	23	
Separation	5		Layoff	1	
			Resignation	2	
			Separation	1	
			Term Without Rights	19	
MGR - Unrepresented		8			
White	<u>8</u>		207 - Technical	2	
Not Disabled	8		White	<u>2</u>	
Layoff	2		Disabled	1	
Layoff-Other	1		Layoff	1	
Resignation	1		Not Disabled	1	
Retirement	1		Cancel/Failure to Rtrn Leave	1	
Separation	2				
Term Without Rights	1				
203 - Service		1			
African American	<u>1</u>				
Disabled	1				
Resignation	1				
White	<u>1</u>				
Not Disabled	1				
Resignation	1				

**Analysis of Separation & Layoff Patterns of All MDES Employees from January 1, 1998 through
January 1, 2000**

The following data contains all MDES employees who have separated from employment over the last 2 years. The data is broken down by protected class characteristic, bargaining unit, outstate/metro areas and the reason for separation.

**Oustate Area (048) By Gender
Total Number of Outstate Area Separations 128**

206 - Clerical	31	216 - Middle Management Association	18
Female	31	Female	4
Layoff	7	Layoff	1
Layoff-Other	1	Layoff-Other	2
Resignation	3	Retirement	1
Retirement	6	Male	14
Separation	2	Layoff	1
Term Without Rights	12	Layoff-Other	4
214 - MN Assoc of Professional Empl	73	Resignation	1
Female	35	Retirement	7
Dismissal	1	Separation	1
Layoff	13	OTH - Unrepresented	5
Layoff-Other	1	Female	4
Non-Certification	2	Layoff	1
Resignation	4	Term Without Rights	3
Retirement	4	Male	1
Separation	3	Layoff	1
Term Without Rights	7		
Male	38		
Cancel/Failure to Rtrn Leave	1		
Death	1		
Dismissal	1		
Layoff	10		
Layoff-Other	5		
Resignation	3		
Retirement	15		
Separation	2		

**Analysis of Separation & Layoff Patterns of All MDES Employees from January 1, 1998 through
January 1, 2000**

The following data contains all MDES employees who have separated from employment over the last 2 years. The data is broken down by protected class characteristic, bargaining unit, outstate/metro areas and the reason for separation.

**Oustate Area (048) By Race and Disability
Total Number of Outstate Area Separations 128**

214 - MN Assoc of Professional Empl		206 - Clerical	
African American	<u>1</u>	American Indian/Alaska Nat	<u>2</u>
Not Disabled	1	Not Disabled	2
Term Without Rights	1	Resignation	1
American Indian/Alaska Nat	<u>2</u>	Separation	1
Not Disabled	2	Hispanic	<u>2</u>
Layoff	1	Not Disabled	2
Retirement	1	Term Without Rights	2
Hispanic	<u>5</u>	White	<u>27</u>
Not Disabled	5	Disabled	2
Layoff	3	Layoff	2
Resignation	1	Not Disabled	25
Term Without Rights	1	Layoff	5
White	<u>65</u>	Layoff-Other	1
Disabled	14	Resignation	2
Cancel/Failure to Rtrn Leave	1	Retirement	6
Death	1	Separation	1
Dismissal	1	Term Without Rights	10
Layoff	2		
Non-Certification	1		
Resignation	1		
Retirement	4		
Separation	3		
Not Disabled	51		
Dismissal	1		
Layoff	17		
Layoff-Other	6		
Non-Certification	1		
Resignation	5		
Retirement	14		
Separation	2		
Term Without Rights	5		
		OTH - Unrepresented	
		Hispanic	<u>1</u>
		Not Disabled	1
		Term Without Rights	1
		White	<u>4</u>
		Disabled	1
		Layoff	1
		Not Disabled	3
		Layoff	1
		Term Without Rights	2
216 - Middle Management Association			
American Indian/Alaska Nat	<u>1</u>		
Not Disabled	1		
Resignation	1		
White	<u>17</u>		
Disabled	1		
Retirement	1		
Not Disabled	16		
Layoff	2		
Layoff-Other	6		
Retirement	7		
Separation	1		

**Analysis of Separation Patterns of Metro (052) and Outstate (048) MDES
Employees from January 1, 1998 through January 1, 2000**

The MDES utilizes different codes for categorizing separation from employment. The codes are Dismissal, Non-Certification, Resignation, Separation, Death, Failure to Return from a Layoff, Expiration of Layoff Rights, Failure to Return from a Leave, Retirement and Terminated Without Rights. The following analysis only takes into account the following types of separations: 1) Dismissal, 2) Non-Certification, 3) Resignation and 4) Separation. The statistics for both Metro and Outstate do not take into account overlap between protected groups, i.e., some of the individuals with disabilities could be in a minority group and/or female. The data shows that overall, our affirmative action goal units have not been significantly impacted by protected group members separating from employment. However, the data also shows that our goal units for persons with disabilities remain underutilized, which is an area of concern.

The data used in this analysis is based on the current MDES workforce composition as of the date this plan was submitted. The breakdown is as follows:

Protected Group	% of Employees
Women	1083 (57.18%)
Persons in a Minority Group	139 (7.33%)
Persons with a Disability	197 (10.40%)
Total # of MDES Employees	1894

Total Metro Area (052) Separations in Past 2 Years = 365

**Total Number of *Female/Male* Dismissals, Non-Certifications, Separations &
Resignations = 123**

Female

Dismissal	1
Non-Certification	0
Resignation	42
Separation	38
Total	81

Male

Dismissal	1
Non-Certification	1
Resignation	16
Separation	24
Total	42

Total Number of *White/Minority Group* Dismissals, Non-Certifications, Separations & Resignations = 129

Members of a Minority Group

Dismissal	1
Non-Certification	1
Resignation	7
Separation	4
Total	13

White

Dismissal	2
Non-Certification	1
Resignation	52
Separation	61
Total	116

Total Number of *Persons With/Without a Disability* Dismissals, Non-Certifications, Separations & Resignations = 121

Persons who identify as having as Disability

Dismissal	0
Non-Certification	1
Resignation	5
Separation	2
Total	8

Persons who do not identify as having as Disability

Dismissal	2
Non-Certification	1
Resignation	53
Separation	57
Total	113

NOTE: To determine the total number of protected group members, I took the total number of employees (1894) and subtracted the number of females, members of a minority group and persons with disabilities. As is the case with the data itself, there is some overlap between protected groups when determining the non-protected group members i.e, a white male may have a disability.

Of the 7 employees who were dismissed during this time period:

- 0 were individuals with disabilities
- 1 was a member of a minority group
- 1 was female
- 5 were other than protected groups.

In comparison to non-protected group member dismissals, the proportional dismissal rate for individuals with disabilities, persons in a minority group and females are lower.

Of the 5 employees who were Non-Certified during this time period:

- 1 was an individual with a disability
- 1 was a member of a minority group
- 0 were female
- 3 were other than protected groups.

In comparison to non-protected group member non-certifications, the proportional dismissal rate for individuals with disabilities is lower, minorities about equal, and females lower.

Of the 175 employees who Resigned during this time period:

- 5 were persons with a disability, while 53 were not.
- 7 were a member of a minority group, while 52 were not.
- 42 were female, while 16 were male
- 121 were other than protected groups.

In comparison to non-protected group member resignations, the proportional dismissal rate for individuals with disabilities is about equal, minorities higher, and females equal.

Of the 186 employees who Separated during this time period

- 2 were persons with a disability, while 57 were not.
- 4 were a member of a minority group, while 61 were not
- 38 were female, while 24 were not.
- 142 were other than protected groups.

In comparison to non-protected group member separations, the proportional dismissal rate for individuals with disabilities is slightly lower, minorities about equal, and females about equal.

Total Outstate Area (048) Separations = 128

Total Number of *Female/Male* Dismissals, Non-Certifications, Separations & Resignations = 22

Female

Dismissal	1
Non-Certification	2
Resignation	8
Separation	5
Total	16

Male

Dismissal	1
Non-Certification	0
Resignation	4
Separation	3
Total	8

Total Number of *White/Minority Group* Dismissals, Non-Certifications, Separations & Resignations = 22

Members of a Minority Group

Dismissal	0
Non-Certification	0
Resignation	2
Separation	1
Total	3

White

Dismissal	2
Non-Certification	2
Resignation	8
Separation	7
Total	19

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**Total Number of *Persons With/Without a Disability* Dismissals, Non-Certification
Separations & Resignations = 20**

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Persons who identify as having as Disability

Dismissal	1
Non-Certification	1
Resignation	1
Separation	3
Total	6

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Persons who do not identify as having as Disability

Dismissal	1
Non-Certification	1
Resignation	8
Separation	4
Total	14

Of the 6 employees who were dismissed during this time period:

- 1 was a person with a disability
- 0 were a member of a minority group
- 1 was female
- 4 were other than protected groups.

In comparison to non-protected group member dismissals, the proportional dismissal rate individuals with disabilities was equal, persons in a minority group and females were low

Of the 6 employees who were Non-Certified during this time period:

- 1 was a person with a disability
- 0 was a member of a minority group
- 2 were female
- 3 were other than protected groups.

In comparison to non-protected group member non-certifications, the proportional dismissal for individuals with disabilities is equal, minorities lower, and females equal.

Of the 31 employees who Resigned during this time period:

- 1 was a person with a disability, while 8 were not.
- 2 were a member of a minority group, while 8 were not.
- 8 were female, while 4 were male
- 20 were other than protected groups.